### **Transition to Civilian Practice**

May 17, 2002

Ronald Reagan Building &

International Trade Center

Sponsored by the Pentagon Chapter, Federal Bar Association



### **Cosponsored** by:

Judge Advocates Association
Federal Career Service Division, FBA
Younger Lawyers Division, FBA
Government and Private Sector Lawyers Division, ABA

# MISMUSS.



The <u>Mission</u> of the <u>Federal Bar Association</u> is to advance the science of jurisprudence and to promote the welfare, interests, education and professional development of the federal legal profession.

The <u>Pentagon Chapter</u> serves the military and veteran's legal community.

### **UPCOMING PENTAGON CHAPTER EVENTS:**

28 May: FBA Supreme Court Admission Ceremony

The Federal Bar Association's Younger Lawyer's Division is sponsoring its annual Admission Ceremony to the Supreme Court of the United States. The ceremony includes a reception in one of the Court's conference rooms and a presentation by one of the Justices. Upon your admission to the bar of the Supreme Court you may appear before the Court, use the Court's library, and attend arguments in front of the bar, and in front of the visitors' area. Location: U.S. Supreme Court, Washington, D.C. Metro stop: Union Station / Red Line. Cost: Two separate checks must be enclosed with your application. One check for \$100 is for admission to the bar of the Supreme Court and should be made payable to "Clerk, U.S. Supreme Court." A second check made payable to "Federal Bar Association" for \$12.00 per person planning to attend the continental breakfast should also be included. For an application or more information visit <a href="https://www.fba-yld.org">www.fba-yld.org</a>.

12 June: Luncheon, Rear Admiral Robert F. Duncan, The Chief Counsel of the U. S. Coast Guard. Contact LT Zoe Kugeares 202-433-8813, zkugeare@ncis.navy.mil.

### UES for ALLS

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### UES-for His

### **SCHEDULE OF EVENTS:**

### Hemisphere A Room

0800-0900 REGISTRATION/CONTINENTAL BREAKFAST

0900-0910 **WELCOMING REMARKS** 

0910-1030 NATIONAL LEGAL JOB MARKET OVERVIEW

**RESUMES 101** 

Richard L. Hermann

President, National Career Counseling

1030-1045 **BREAK** 

1045-1215 PANEL ONE: THE JUSTICE DEPARTMENT

Deana Willis

Office of Attorney Recruitment and Management

John Cruden

Deputy Assistant Attorney General, Environment and Natural Resources Division

Ronald M. McNeil

Deputy Chief of Litigation, Narcotics and Dangerous Drugs Section, Criminal Division

John Euler

Director, Office of Vaccine Litigation, Torts Branch, Civil Division

Richard Parker

Deputy Chief, Civil Divison, Office of the United States Attorney for the Eastern District of Virginia

Glenn L. Kirshner

Assistant U.S. Attorney, Criminal Division, Office of the United States Attorney for the District of Columbia

1215-1230 MOVE TO THE HORIZON ROOM FOR LUNCH

Horizon Room

1230-1345 <u>LUNCHEON MIXER/SPECIAL GUEST SPEAKER</u>

Major General William K. Suter, USA (Ret.)
Clerk of the United States Supreme Court

1345-1400 MOVE TO THE HEMISPHERE A ROOM

### Hemisphere A Room

1400-1530 PANEL TWO: OTHER GOVERNMENT AGENCIES

The Honorable Robert Rigsby

Corporation Counsel, Government of the District of Columbia

Tamara L. Miller

Deputy Chief, Criminal Section, Civil Rights Division

Mary Comfort

Office of the Legal Advisor, Department of State

Arthur Hildebrandt

Office of the General Counsel, Department of the Navy

John McPherson

Office of the General Counsel, Central Intelligence Agency

Newton Klements

Transportation Security Administration, Department of Transportation

1530-1545 **BREAK** 

1545-1700 PANEL THREE: IN HOUSE/PRIVATE PRACTICE/ALJ

The Honorable Richard T. Stansell-Gamm

Administrative Law Judge, Department of Labor

Donald A. Deline

Director of Government Affairs, Halliburton/Brown & Root LLP

William S. Colwell
Certified Mediator and Arbitrator

Edward J. Duffy, Jr.
Associate, Ritzert & Leyton, P.C.

Joseph J. Aronica
Member, Porter Wright Morris & Arthur LLP

1700-1715 **SURVEY/CLOSING REMARKS** 

### THINKING ABOUT RETIREMENT? SOME OBSERVATIONS BY BILL SUTER & BILL LEHMAN 11TH EDITION (2002 REVISED)

Having retired from the Army not too many years ago, we thought it would be helpful to our Judge Advocate General's Corps friends on active duty if we preserved some of our observations and experiences. This monograph was prepared several years ago and we update it periodically. While it is principally directed to judge advocates nearing retirement, it is also useful to all military members departing the service after one or more tours.

### THE DECISION

Make your decision to retire or leave the service and stick to it. Do not procrastinate! Sitting on the fence and "threatening" retirement are harmful to you and your family and hinder your civilian employment opportunities. Once you decide to retire, set up goals and milestones and follow them. Incidentally, it is always a good practice to notify the Personnel Plans and Training Office one year in advance of your retirement. That allows for an orderly reassignment process. Retiring with minimum notice creates problems for the Corps and gives the impression that you are selfish. That is not the reputation you want.

Once the decision to leave the military is made, regardless of the reason, some individuals become angry and fccl sorry for themselves and ask: "Why me, after all I've done for this outfit?" That will wear off, but sometimes it leaves soon-to-be-civilians with an empty feeling of powerlessness and depression. Be careful. There is no reason for you to feel that way. There are three keys to dealing with this situation. First, take an accurate, realistic inventory of your marketable skills. Second, you need to learn a new skill - how to look for a job effectively and efficiently. Third, approach the job market in a diligent, professional manner that ensures a high probability of success.

After you have made the decision to retire, you still face several big decisions. WHERE do you want to live? WHAT type of work do you want to do? What are your GOALS? You should involve your family members in making these decisions. They have followed you and military orders for many years and they now deserve loving consideration as you enter the new phases of life. In making these decisions, you need to be open minded, consult with others, and do some homework. Law firms and other prospective employers are not going to call you and offer jobs when they hear you are available. As you start thinking about the type of work you want to do, be aggressive and decisive, but do not be afraid to "raise your sights to a lower level." In other words, you might need to think smaller. Too many judge advocates preparing for retirement have aspirations of teaching at a law school or joining a big law firm. Remember, there are many good lawyers out there looking for jobs and the competition is stiff. Nevertheless, be positive and have confidence in yourself. We will not offer any advice on selecting a place to live except to say that you need to be careful about retiring in that "little town we have always dreamed about."

So far, we have assumed that you will want to work after leaving the service. Some of you, however, will simply want to retire, fish, travel, and whack a little white ball down the fairway. We have several friends who have lived happily without a second career. Others, however, have not

fared so well. Some did not realize that their retired pay was insufficient to sustain them satisfactorily and others did not know what to do with their time. For some, inactivity leads to a loss of purpose, prestige, and sense of worth. Our advice: if you do not embark on a second career, stay busy and do something worthwhile with your time. There are many charitable institutions, schools, and civic organizations that can use your talents. Be careful not to count on your Social Security retirement income being worth much when you reach the age to receive benefits. Financial experts predict that Social Security benefits in the future will be reduced by about 25% from what is being promised now.

Although the federal workforce is being reduced, do not overlook it as a job market. There are always vacancies. Also, some agencies, like the Bureau of Prisons, are growing. The repeal of the Dual Compensation Act, effective October 1, 1999, made federal employment much more attractive for military retirees. If you are looking for a federal job, become familiar with the Federal Employees' Retirement System. The federal Thrift Savings Plan, a 401(k) plan, is particularly attractive because it has paid a healthy return and the government contributes up to \$5,000 tax-free annually. Military academy graduates can "buy back" their school years for a modest amount and count those years toward federal retirement. Also, do not overlook state and local governments. Many are modeled on the federal government and their structure will be familiar to you. The pay will probably be less, but these governments are growing and many provide a bright future.

Join The Retired Officers Association (TROA) now. It is a great outfit that has much to offer. In particular, TROA will send you a booklet containing valuable information about searching for a job and writing resumes. The "Strategy of Career Transition" course offered in Washington, DC, is highly recommended by the JAG officers who have taken it. Also, contact the Army & Air Force Mutual Aid Association and arrange for a briefing for you and your spouse concerning insurance, investments, and estate planning. The Association is a superb organization that can answer all your questions.

### THE NETWORK

Make a list of everyone you know who might be of help to you in looking for a job. List names, addresses, and phone numbers. Put the names in alphabetical order. You should start on this as soon as possible. Keep the list in your desk and review it daily and add names as you think of them. You will be surprised how soon you have fifty or more names. It takes time to perfect this list, but you will be glad you have it when you send out your resumes. They call this networking. Believe us, your true friends are great assets. Networking is the best way to find a job. It is much more effective than sending out hundreds of resumes or using a search (headhunter) firm.

Read the National Law Journal every week. If you do not have access to a copy, purchase a subscription. It has excellent articles and numerous position opportunity advertisements. I know of one retiree who landed a terrific job that he learned about by reading the Journal. If you are interested in working in the Washington, DC area, read the weekly Legal Times.

One recent successful JAG retiree informed us that he found his job opening on the Office of Personnel Management web site (www.usajobs.opm.gov/a.htm). It lists information concerning federal attorney jobs all over the country.

If you plan on working in Washington, DC, join the DC Bar. It takes about six months to accomplish this, so start early. Admission is by reciprocity and the cost is about \$800.

It is never too late to join the Federal Bar Association, the American Bar Association, the National Bar Association, or other professional associations. We know several senior officers who were too uninterested or too cheap to join until their twilight years in the service. Dumb! Professional associations are great places to learn, contribute to your profession, and make lasting contacts.

### THE RESUME

There are many resources available to help you write a resume. Use them! Here are a few thoughts. Resumes should be one or two pages only. Use civilian terms (e.g., "senior legal advisor" instead of "staff judge advocate," "felony court judge" instead of "general court-martial judge," "law professor" instead of "instructor"). We are not encouraging puffing. The point is that you must write so the reader will understand what you are saying. Have others review your resume and critique it. Review resumes of friends who have retired. The federal government no longer uses the SF 171 as the standard employment application. Some agencies are still using it, but most have adopted the OF 612 or use your resume supplemented by the OF 306. Complete the appropriate forms in case you want to apply for employment with the federal government. If possible, use computer software programs that produce the forms. Do not attempt to "fill in the blanks" the way it was done in the era before personal computers. These forms are difficult to complete, so take your time and have them ready.

Tailor your resume to fit the position for which you are applying. For instance, if you are seeking a position that deals with personnel management and budget, emphasize your experience and expertise in those areas.

When you list references, be smart. Listing high-ranking military officers is usually not as helpful as providing the names of those that know you well and are working in the field for which you are applying. Never list a reference without that individual's consent. The opinion of a retired lieutenant colonel that works in the office of a state attorney general and thinks highly of you will carry more weight than that of an Army general who is unknown outside a few square feet on the Ering of the Pentagon.

Always be sure that your references have an updated copy of your resume available. It is handy for them to use in the event they are called for more information about you. Also, many employers will ask your primary reference for the names of "other people who might know you." Help your primary reference prepare for this.

When you send out resumes, use a cover letter. Be meticulous in keeping records on who you write. Likewise, always record the date you get responses and keep a file. If anyone helps (e.g., gives you a lead or takes you to lunch), send a "thank you" note immediately and keep a record of that too.

### THE INTERVIEW

Interviews are important. Many of us have interviewed others, particularly during the last part of our careers, but rarely were we interviewed by others. Read up on the subject and consult with friends who have been interviewed. Our advice: know the job; know your interviewer; listen; do not talk too much; and be yourself. When you apply for a job, take the time to learn something about it. Then, if you are lucky and get a call for an interview, you will be in a position to answer unexpected questions about the job. We know of one prospect that did exceptionally well in an interview when the interviewers learned that he had spent an entire day at a similar office learning all he could about the job. Remember that everyone you meet during an interview is a potential interviewer - from secretaries, through the personnel staff, to the president of a company. Be nice to everyone. You never know who is connected to whom in an organization. Continue an all-out job hunt until you are absolutely sure of a new job. Do not assume that oral promises of a job or reference checks that seem to take forever mean you will actually be hired. The prospective employer may be stringing you along because of internal conditions or any of a variety of reasons. Waiting for word to report to work costs you time and momentum in your search if you do not get the job.

Telephone employment screening is on the rise. To cut back on interviewing time, companies are doing their initial employment screening over the phone. Typically, a lower-level employee calls the person to verify a resume, seek clarification on certain matters, and decide whether this is a hot prospect. Do not take such calls lightly. When you take such a call, stand up. This makes you sound more energetic to help convince the screener that you are a top candidate.

Do not be surprised if your civilian interviewer knows nothing about the practice of law in the military. There are many misconceptions and misunderstandings about the military profession. At the appropriate time, take the opportunity to politely educate your interviewer. A senior federal judge asked one of us recently if a retired Colonel who applied for a position in the judiciary would have any trouble supervising civilians after all those years being with military personnel only. He was surprised to learn that legal offices have many civilian employees and that military members spend a great deal of time with civilian employees. By the way, the Colonel got the job! Stress the diverse nature of our law practice and the similarities to civilian practice. Remember that few civilian lawyers have very much leadership, supervisory, or management experience. This is not meant to demean them. Many fine lawyers simply do not know how to manage their offices and subordinates. Perhaps that is why numerous law firms hire former military personnel as law office managers.

Will Rogers once said: "You never get a second chance to make a good first impression." So, dress appropriately! Go to a top-flight clothing store and have a consultant help you "get

dressed." A \$3,000 to \$5,000 expenditure is an investment. Do not be cheap. Get outfitted from top to bottom. For men, get shirts, ties, suits, socks, shoes, and belts. I know of several interviews that went poorly because the interviewer was "turned off" by the way the applicant dressed. One interviewer said, "I wish he had not worn those Army shoes and black socks." Get rid of your Infantry "rubber watch" with the compass attachment. Most civilians know little about military life and it is up to you to adapt, not them. Thus, a simple "yes" to an interview question is preferable to "roger that."

You undoubtedly have had a successful military career and you know little about the "R" word. Yes, believe it or not, you will probably be rejected one or more times in your search for a position. Do not get discouraged! This is particularly important for the period immediately following your mass mailing of resumes. You will check the mail daily, but more often than not you will hear from your creditors rather than prospective employers. Be patient! But, be persistent!

Do not take the first offer you receive just because you get it. On the other hand, do not procrastinate. Some people wait too long and after a certain time they are unemployable because of their "resume gap." If it looks like you are not going to locate a job before you retire, find something to do that you can enter on your resume. Performing pro bono work, or taking classes are examples of something that will keep you occupied and look acceptable on your resume.

### THE RETIREMENT PAPERWORK

Get a thorough military physical examination before you retire. Insist on it. At the same time, make a copy of your medical and dental records. You will need them. Have the examining physician help you with getting the right medical terms for anything that is wrong with you. It is essential that you list every "ache and pain" on the Department of Veterans Affairs claims form. It is well known that the VA is more benevolent than the armed services when it comes to recognizing a physical disability. The laws pertaining to "physical disability retirement" and "VA disability" are quite different. After you retire, you will hear from the VA in about four to six months and you will be directed to a VA hospital for an examination. This is in many cases a frustrating experience because of the heavy workload of the hospital and staff. Be patient and do not give up. Several months after the examination you will hear from the VA Regional Office. Be sure to pursue your appellate rights (Board of Veterans Appeals and U.S. Court of Appeals for Veterans Claims) if you are dissatisfied with the determination. At present, disability payments from VA are tax free, but your retired pay is reduced by the amount received from VA. Legislation is pending that would allow retirees to receive their full retired pay in addition to their disability pay.

The conventional wisdom is that you should always cash in your accrued leave upon retirement rather than taking leave prior to your retirement. There are exceptions, but do not guess-call the Army & Air Force Mutual Aid Association for advice. If you have a spouse or family, take full advantage of the Survivors Benefit Plan. It is a superb plan.

### OTHER CONSIDERATIONS

If you accept civilian employment and your employer offers to pay for your move to another location, including closing costs, points, and other incidentals, be sure to look at the income tax consequences. These items are usually taxable to you and some companies will compensate you for your additional tax liability if you ask for it. This is called "grossing up."

If you do not move your household goods when you retire, be aware that you can ask the Army to defer your final move entitlement. Some retirees have preserved this benefit for several years after retirement and then used it.

Be sure and thoroughly review your medical insurance needs. This is a complex area, but many retirees find that one of the TROA CHAMPUS supplement options will suffice. The TRICARE For Life system created by Congress in 2000 appears to a very beneficial program that will obviate the need for a CHAMPUS supplement. Do your homework and get smart in this area before making any decisions.

Be prepared for the state tax shock if you have previously avoided state taxes because your domicile was Texas or other military haven. Virginia, for example, has a rather stiff income tax. Virginia is, happily, reducing the despised property tax, commonly called the "car tax." State income taxes will be withheld from your military retired pay, but you must notify the appropriate finance center and state how much you want deducted.

If you join a law firm, be sure that you completely understand all aspects of the employment or partnership agreement. The agreement must be in writing. One retiree we know associated with another lawyer with the oral understanding that profits would be "divided equally." A year later he learned that his partner had a different interpretation of "divided equally" than he had. Another retiree friend joined a small firm with the oral understanding that the firm members would divide expenses and that each member would profit from cases he generated. After a year he was surprised to learn that he was required to contribute \$50,000 in order to continue in the firm.

If you take a position with the federal government, be sure you understand the pay system. The three branches have different systems. When you are negotiating for your salary, do not use your military leave and earning statement as a basis of your present income. Get a copy of the "regular military compensation" chart published by DOD. It shows your true income by including tax breaks and other hidden benefits. Use that income amount when you negotiate. Your military income is higher than you think. Try to negotiate for an equivalent or higher amount. This tactic can also be used when negotiating for employment with a non-federal entity. Some non-governmental organizations will tell you that you should make less because you are drawing a military "pension." They sometimes think your retirement income is high. It is not. We urge you to avoid letting your retired pay become a part of the negotiation process.

Believe it or not, some day you will be eligible to receive Social Security benefits. Prior to 2000, if you were under 70 years of age you were essentially forced to quit working if you wanted to draw the benefits. Congress amended the law so that effective January 1, 2000 you can have unlimited earned income (e.g., pay from a job as distinguished from investment income) and still draw full Social Security benefits beginning at age 65. If you start drawing reduced Social Security benefits at age 62 and continue working, there is a stiff offset that in most instances eliminates your benefits.

### **CONCLUSION**

Lastly, we urge you to prepare yourself for the job search long before you plan to begin your second career. Looking for a job is a full time job! The three most important ingredients are preparation, preparation, and preparation. Attack this as if it is the most important thing you have ever done.

**GOOD LUCK!** 

### Jobs for JAGs -- Developing Your Strategic Plan

14 May 02

### Bill Colwell President, Judge Advocates Foundation Member, Federal Bar Association

- Strategic plan essential your most important mission
  - Excuses not accepted
    - "Too busy at my current job"
  - Thorough plan
  - Long haul
    - Expect some tough days, some losses ·
  - Spouse, friends key part of team
- Determine where want to go
  - Can't get to where you want to go if you don't know where that is
    - Talk to others
    - Transition courses and books that help you focus on what really fits you
      - Personality tests
    - Informational interviews
    - Private firm, govt, corporate counsel, solo?
    - Web sites job info

### • Network, Network, Network

- "Don't hire anyone unless we know them"
  - Too big of a risk
- Begin identifying your network may be amazed how large it is
  - Examples of sources: college, law school, SABRE, clubs, work contacts, opposing counsel, church, Inn of Court, Federal Bar Association, Judge Advocates Association
- Network contact letters asking to help locate appropriate openings
   do not ask for a job
  - "Warm up" introduction
  - Attach resume
  - Follow-up calls
    - Understand the big difference in your urgency v. their urgency
    - Master book keep track of responses and all contacts

### • Prepare civilian resume

- Guide books, TROA, friends
- Obtain brutal reviews blood all over resume until powerful and "civilian"
- Contact letter -- specific job opening
  - Brief, hard hitting -- quickly reveal why you fit job announcement
  - Tailored to specifics of job announcement

- Human Resources likes to hear their own words repeated back to them
- Attach tailored resume -- fine tuning original resume
  - Purpose of resume -- to get their attention to get selected for interview
  - Computer versions for govt positions i.e. FM 171 on computer that can be quickly adapted

### • Follow-up calls

- "You ought to invest not in postage, but in phone calls to do the marketing"
  - Often your most difficult -- but most important -- tasks
- Thank you letters
  - They remember the nice people may not hire this time but they will remember you the next time

### • Clothes – an investment

- "Do not use any clothes currently in your closet, but invest \$1000 to get the \$100K job."
- Expert found 17 things wrong with my clothes
- Get the right help
- Always be ready and properly dressed if meeting a potential boss
  - Don't dress casually even if believe only an informational interview

### Interview

- Research about office and interviewers
  - Firm's web site, other attorneys, employees from that office
    - Firm's web site may contain important position papers, newsletters, news articles, important cases, size of each department
  - Martindale-Hubbell
    - Specific details about the individuals interviewing you
- Do not be afraid to ask for critical info about potential office
  - Reports that many who leave military service move to 2-3 jobs within several years
    - Hard to learn enough about firm at interview stage
    - May need to take "transition" job to better prepare for "target" job
  - "Choice" new word
- Sell yourself -- new concept, but essential
  - Often do not have luxury of time
- Communication objectives
  - Have an idea of how you can help them where you will fit in
    - Litigation skills
    - Adaptability
    - Of counsel
      - Develop client base, then switch to partner track

- Possibility of moving within organization
- i.e., Later move from litigation section to alternate dispute resolution section
- Be honest
- Always have a question
  - "What are you looking forward in an ideal candidate"

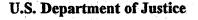
### References

- Make sure they are prepared
- Ask them for guidance -- will help you know where they believe you fit

### • Keep to your schedule and strategic plan

- Realize there is an exciting new world out there
- Realize, also, you have extra special talent and value you just must find the right fit
  - i.e., Litigation skills -- match civilian litigators
  - Recent example, JAG given two offers just after giving polished briefing at national legal convention
  - Another example -- high level general counsel wants a senior JAG due to recognized leadership and other skills

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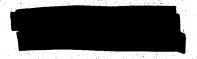


United States Attorney

District of Columbia

Judiciary Center 555 Fourth St. N.W. Washington, D.C. 20001

### OFFICE OF THE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA



This description is intended to introduce the Office of the United States Attorney for the District of Columbia to those who may wish to be considered for appointment as Assistant United States Attorneys. With it we provide a description of the work of the Office and its organization; a description of the particular assignments that new Assistants may anticipate; and a summary of the requirements for candidacy. It also includes a description of our interviewing procedures and our anticipated hiring schedule. We hope this information will be informative, and we greatly appreciate the interest expressed by all who submit employment applications to this Office.

### I. OVERVIEW

The Office of the United States Attorney for the District of Columbia is unique among the 94 United States Attorney Offices across the nation by virtue of its size and its varied responsibilities. It is the largest United States Attorney's Office with over 350 Assistant United States Attorneys and over 350 support personnel. The size of this Office is the result of the breadth of our responsibility for criminal law enforcement and our location in the nation's capital. We are responsible not only for the prosecution of all federal crimes, but also for the prosecution of all serious local crime committed by adults in the District of Columbia. In addition, we represent the United States and its departments and agencies in civil proceedings filed in federal court in the District of Columbia. As the principal prosecutor for all criminal offenses in this jurisdiction, and as the principal litigator for the United States in the nation's capital, this Office offers extensive litigation experience before nearly 100 judges in the federal and local courts and unique opportunities for important public service. This significant responsibility of the public prosecutor was aptly described by Justice Sutherland in Berger v. United States, 295 U.S. 78, 88 (1935):

The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim

of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor -- indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.

### IL ORGANIZATION OF THE OFFICE

The Office is organized into a number of separate divisions and sections. A brief summary of the responsibilities of each division and section is set forth below.

### A. Superior Court Division

### 1. Misdemeanor Trial Section

The Misdemeanor Trial Section is responsible for the prosecution of all serious misdemeanor violations of the District of Columbia Code. These charges include petty thefts, assaults, weapon offenses, narcotics possession, and minor offenses stemming from acts of civil disobedience. Each Misdemeanor Assistant is assigned to a four-person team of attorneys, routinely carries a caseload of approximately 150 active cases, and is individually responsible for that caseload. Assistants new to the office usually are assigned initially either to the Misdemeanor Trial Section or to the Appellate Division. Assistants assigned to the Misdemeanor Trial Section represent the government at sentencing and probation revocation proceedings and may have the opportunity to prosecute both jury and non-jury trials within the first few months after joining the Office. From their first day of service, therefore, new Assistant United States Attorneys assume important individual responsibility requiring great diligence and commitment of purpose.

### 2. Grand Jury/Intake Section

The Grand Jury/Intake Section supervises intake of most arrest-generated felony cases prosecuted in Superior Court. The Section is also responsible for the investigation and indictment of all felony cases, except those involving first-degree murder, felony sex offenses, and certain armed violent crimes. Assistants assigned to the Section handle intake, presentments, preliminary hearings, preindictment guilty pleas, investigation and presentation of the cases to the grand jury, and preparation of indictments. Assistants handle felony cases ranging from drug and weapons offenses to serious assaults. While serving in the Section, an Assistant has the opportunity to develop important investigatory skills necessary for witness preparation and case assessment, and is responsible for presenting cases and making recommendations for preindictment dispositions.

### 3. General Felony Section

The General Felony Section is responsible for the post-indictment prosecution of most felony cases brought in Superior Court. Attorneys in the Section are assigned to three-person teams and handle all indicted felony cases assigned to a particular felony trial judge. The types of cases range

from drug and weapons offenses to armed robbery and serious assault. Assistants receive two kinds of assignments in General Felony. The first, which generally follows assignment to the Misdemeanor Trial Section, involves the prosecution of felony drug cases as the junior member of a trial team. Later, following the Grand Jury and District Court assignments, an Assistant returns to the General Felony Section where he or she assumes a senior position on a trial team and handles a range of indicted felony cases.

### 4. Violent Crime Section

The Violent Crime Section focuses upon the prosecution of firearms offenses and crimes of violence, and is staffed by experienced Assistant United States Attorneys. The Section is organized as a vertical prosecution unit. Assistants handle all phases of a criminal case from intake and investigation through trial and sentencing. The vast majority of cases handled by the Section involve crimes of violence, and the Section's staff utilizes pretrial detention statutes and investigates and tries the cases under expedited court schedules. The Section targets armed violent offenders and seeks to use intensive prosecutive resources, mandatory penalties, and expedited court schedules to bring violent offenders to swift, certain justice. By bringing intense effort to bear upon repeat and violent criminals, expeditious dispositions and substantial sentences are obtained to help safeguard the community.

### 5. Sex Offense and Domestic Violence Section

The Sex Offense and Domestic Violence Section is responsible for the prosecution of all felony sexual assaults (including rape and child molestation), child physical abuse, and domestic violence — along with associated crimes such as burglary, kidnaping, robbery, stalking and weapons charges. The Sex Offense and Domestic Violence Section prosecutes each case vertically, that is one prosecutor is responsible for the case from the initial interview of the victim, through the investigation and charging process, to trial, plea, or other disposition.

There are two primary Units. The Sex Offense Unit currently handles felony sex offense cases and the Domestic Violence Unit handles misdemeanor intrafamily offenses including spouse abuse, partner abuse, intra family child abuse, and elder abuse ranging from assaults to property crimes.

### 6. Homicide Section

This specialized section of experienced prosecutors handles all murder cases, including premeditated murders and felony murders. Its staff utilizes the applicable pretrial detention statute and employs a vertical prosecution plan, with the same attorney handling all phases of the case from intake through trial and sentencing. The Section was created to focus specialized prosecutive attention on the serious homicide problem in the District of Columbia and to ensure that these cases receive the close attention required to prosecute them successfully.

### 7. Community Prosecution Section

The Community Prosecution Section, a pilot project that began in June, 1996, is responsible for the prosecution of virtually all crimes committed within MPD's Fifth District. Unlike other Sections that specialize in type of crimes prosecuted (such as the Homicide or Narcotics Section), the Community Prosecution Section has assigned its attorneys to specific neighborhoods. Each attorney handles cases arising there — whether robbery, murder, or a Federal drug investigation—from arrest through final disposition. Two AUSAs have been designated Community Prosecutors; they have been relieved of caseloads, but share responsibility for staffing the USAO office located within the Fifth District station, as well as reviewing all arrests in that district. The Section strives to handle cases and matters in such a way as to improve the quality of life for the residents of the area, and continuously strives to improve our working relationship with citizens, civic groups, and other local and Federal agencies.

### B. Appellate Division

The Assistants assigned to the Appellate Division are responsible for handling all appeals from criminal convictions in the District of Columbia Court of Appeals and the United States Court of Appeals for the District of Columbia Circuit. These duties include preparation of the appellate briefs and presentation of oral argument. The work of the Appellate Division provides excellent opportunities for Assistants to learn substantive criminal law, hone their oral advocacy skills, and perfect their legal writing.

### C. Special Proceedings Section

The Special Proceedings Section, whose members appear in both the Superior Court and the United States District Court, handles post-conviction prisoner petitions, insanity acquittal release requests, motions for expungement of criminal records, and certain other specialized proceedings. Most prisoner petitions involve collateral attacks on convictions, raising issues such as newly discovered evidence or ineffective assistance of trial counsel; others involve habeas corpus actions. Release hearings occur when persons found not guilty by reason of insanity seek permission from the court to return to the community under various conditions. Expungement hearings focus on whether a movant has fulfilled the statutory requirements for the elimination of a criminal record. Service in this Section provides the Assistant with the opportunity to address novel legal issues and to develop expertise in a very specialized area of criminal practice.

### D. United States District Court Criminal Division

### 1. Narcotics Section

### Organized Crime Drug Enforcement Task Force (OCDETF)/Senior Drug Prosecutors

The experienced Assistants assigned to this unit are responsible for the investigation and prosecution of major narcotics traffickers. The unit's objective is to stem the flow of narcotics and other dangerous drugs into the District of Columbia by eliminating the drug distribution networks at their sources. Working with the Federal Bureau of Investigation, the Drug Enforcement Administration, the Metropolitan Police Department, and other law enforcement agencies, the unit conducts electronic surveillance and initiates money laundering and tax investigations in an effort to penetrate ongoing narcotics conspiracies. The Assistants assigned to the unit are involved in their cases from preliminary investigation by law enforcement officers through indictment and trial.

### **Drug Trial Unit**

The Drug Trial Unit, staffed by junior Assistants as a rotational assignment, prosecutes arrest-generated narcotics and firearms offenses that give rise to mandatory penalties under the provisions of the United States Code. These cases generally arise from undercover operations, the execution of search warrants, or the interdiction of drug couriers at public transportation terminals. Service in this section offers junior attorneys substantial experience in Federal criminal trial work.

### **Asset Forfeiture Unit**

The Asset Forfeiture Unit works with other Assistants in the Narcotics Section and throughout the Criminal Division to seize proceeds derived from illegal sources, such as drug trafficking, as well as the assets of drug dealers who have facilitated narcotics offenses. Since its inception in February 1989, the Unit has seized and forfeited several million dollars worth of personal property and real estate.

### 2. Economic Crimes Section

The Economic Crimes Section is responsible for the investigation and prosecution of a variety of economic crimes, including tax violations, thefts, and embezzlements, as well as business, banking, securities, government procurement, program, and consumer frauds. Working with various law enforcement agencies, Inspectors General and regulatory agencies, Assistants in the Section conduct grand jury investigations, draft and obtain indictments, and try cases. Service in the Section offers Assistants the opportunity to investigate and prosecute offenders who have developed sophisticated financial schemes. Although it is staffed primarily by senior attorneys, rotational positions have been created in the Section to provide junior attorneys with exposure to these complex prosecutions.

### 3. Transnational/Major Crimes Section

The Transnational/Major Crimes Section is responsible for the prosecution of a wide variety of crimes ranging from international terrorism, espionage, and violations of weapons export regulations to bank robbery, kidnaping, and environmental crimes. Assistants in this Section work with Federal law enforcement agents in the investigation and prosecution of these crimes. Junior attorneys are assigned to the Section on a rotational basis to work with more experienced Assistants in prosecuting the wide variety of cases the Section handles.

### Civil Rights Unit

The Civil Rights Unit is staffed by two experienced AUSAs who handle investigation and prosecution of criminal violations of civil rights in both the Superior Court of the District of Columbia and the United States District Court. These problematic and difficult cases include investigations and prosecutions of, among other things, alleged use of excessive force (fatal and non-fatal) by police officers in the performance of duty, federal "hate" crimes violations and, offenses under the Freedom of Access to Clinic Entrances (FACE) statute. In addition, the Unit, conducts an independent investigation of every fatal shooting by an on-duty police officer in the District to determine whether prosecution is warranted.

### 4. Public Corruption/Government Fraud Section

This Section prosecutes misconduct by officials of both federal and local governments for violations of the public trust, including improper use of office and improper personal enrichment. The Section also prosecutes private individuals for aiding and abetting government officials in their unlawful conduct, and likewise handles allegations of false statements to government agencies, obstruction of justice, and perjury. Junior attorneys serve on a rotational basis, together with the Section's senior attorneys.

### 5. Gang Prosecution and Intelligence Section

The Gang Prosecution and Intelligence Section is responsible for prosecuting violent gangs, for the Ceasefire program and for maintaining an intelligence support system within the United States Attorney's Office. The experienced Gang Prosecution Assistants conduct short and long-term investigations and prosecute complex federal cases using conspiracy, continuing criminal enterprise and RICO statutes in order to target and disable the most significant violent gangs in the District of Columbia. The Ceasefire/Intelligence Assistants are responsible for conducting the Ceasefire program aimed at reducing firearms and firearms related crime, and for maintaining an intelligence support system for the Office aimed at gathering information concerning criminal activity in the District of Columbia.

### E. Civil Division

The Civil Division represents the United States and its departments and agencies at both the trial and appellate levels in civil actions filed in this jurisdiction. The activities of the Civil Division primarily involve defensive civil actions in the United States District Court and United States Court of Appeals. The types of cases handled by the Civil Division include allegations of discrimination; suits under the Federal Tort Claims Act; challenges to agency actions and government procurement under the Administrative Procedure Act; matters under the Freedom of Information Act and Privacy Act; and the defense of government officials sued in their individual capacities. The Division also brings civil actions to recover money owed the United States Government by those who submit false claims or commit fraud against the government, as well as actions against those who have failed to repay student or veteran loans or other debts to the United States.

### F. Administrative Office

The Administrative Office provides policy and procedural direction, and central services support for the United States Attorney's Office for the District of Columbia in all areas of management and administration, including, personnel; budget and finance, security; procurement; property, supply and records management; facilities; office automation and information management; and litigation support. The Administrative Office also manages the Law Library and all automated legal research systems.

### III. ASSIGNMENTS FOR ASSISTANTS

### Criminal Assignments

As a general, rule during their first four years of service with this Office, Assistant United States Attorneys "rotate" through a series of assignments, each of which is of several months' duration. However, Assistants who join the Office with particular expertise may be eligible for acceleration through the rotation process; also, Office needs and Assistant skill and development may result in an adjustment from the general schedule. The rotation of assignments provides training in criminal investigation, allows Assistants to develop their trial and oral advocacy skills, and offers exposure to the myriad issues raised by the wide variety of cases the Office handles.

The first assignment in the rotation is normally either to the Appellate Division or to the Superior Court Misdemeanor Trial Section. If an Assistant starts in Appellate, (s)he will then move to the Misdemeanor Trial Section. Following the Assistant's tenure in Misdemeanors, (s)he usually moves to the Felony Drug Detail in the General Felonies Section to try felony narcotics cases. This assignment is usually followed by an assignment to the Grand Jury/Intake Section. Following the Grand Jury assignment, Assistants usually move to the United States District Court Criminal Division to serve in one of its specialized sections. Upon completing that rotational assignment, Assistants who started in the Misdemeanor Trial Section move to the Appellate Division. The final assignment

in the rotation is a senior position in the Superior Court General Felonies Section. Assistants typically complete the rotation after approximately three and one-half years with the Office. However, the order and length of the rotational assignments vary depending upon the staffing needs of the Office and the experience of the Assistant.

Experienced Assistants are eligible for assignments in the more specialized sections of the Office. These sections include the Narcotics, Economic Crimes, Transnational/Major Crimes and the Public Corruption/Government Fraud Sections in the United States District Court Criminal Division and the Homicide, Sex Offense, and Violent Crime Sections in the Superior Court Division. Vacancies in these sections are generally filled from among those Assistants who have completed the rotation.

### **Civil Assignments**

Civil Division vacancies are filled by direct hire into the Civil Division. Civil Division vacancies may also be filled by Assistants from the criminal divisions who have completed the rotation. In addition, assistants assigned to the District Court Criminal and the Superior Court Divisions may apply for a detail to the Civil Division as rotational vacancies occur. Civil Division Assistants may apply for a vacancy in the Criminal Division after completion of the four-year commitment.

### IV. TRAINING PROGRAM

The United States Attorney's Office training program provides Assistant United States Attorneys with both substantive and trial skills training. The training program is supplemented by a comprehensive trial manual which covers policy, procedures, and guidelines for daily operations in addition to practical outlines, checklists, and tactical advice.

New Assistants and Special Assistants assigned to the Superior Court Division participate in a five-week Basic Training Program before their initial assignment to the Misdemeanor Trial Section. Later, a week of Felony Trial Training is provided for Assistants entering the General Felony Section. Both training programs include lectures on the law as well as videotaped trial advocacy exercises and mock trials.

In addition, individual divisions provide both orientation and continuing education programs. Before moving into the rotational assignments of the Criminal Division, Assistants are given extensive orientation to the Federal courts. Similarly, training for Assistants transferring to the Grand Jury/Intake Section focuses on evidentiary principles, grand jury practice, and investigative techniques. There is also extensive training provided for Assistants assigned to the Civil Division. In addition, the Office provides training and orientation for paralegals and other employees on a variety of subjects.

Video and audio tapes are also available on topics such as witness preparation, evidence, trial strategy, and advocacy. Assistants are encouraged to participate in outside courses sponsored by the Department of Justice, and many of the Office's experienced Assistants serve as instructors in our inhouse training programs and in programs sponsored by government agencies and academic institutions throughout the country.

### V. HIRING PROCEDURES

### A. Eligibility Criteria

This Office seeks attorneys who are citizens of the United States and have outstanding legal ability, high moral character, mature judgment, a keen desire for public service, and an exceptional aptitude for litigation. Selections are made of the most highly qualified attorneys who apply, without regard to race, sex, creed, color, national origin, handicap, age, or political affiliation. Although experience in the criminal justice system as either a prosecutor or defense attorney is not necessary to be considered for a position in the Superior Court Division, we do require at least one year of legal experience following admission to the Bar. To be considered for a Civil Division vacancy, however, an applicant should have at least two years of civil litigation experience.

Admission to the Bar is a requirement for employment with this Office. Moreover, although admission to the District of Columbia Bar is not a prerequisite for consideration, it is expected that attorneys to whom employment offers are made will immediately seek admission to the District of Columbia Bar. Also, newly appointed Assistant United States Attorneys are expected to obtain admission to the United States District Court for the District of Columbia and to the United States Court of Appeals for the District of Columbia Circuit.

### B. Application Requirements

An application for a position with this Office should include a letter of application, resume, legal writing sample and an official law school transcript. The Standard Form 171 is no longer required, but may still be submitted. Alternatively, a newly developed optional form entitled Optional Application for Federal Employment (OF 612) is also available for your use. The writing sample selected for submission should be the applicant's exclusive work product. If the writing sample was edited, or if there were other contributors, applicants are expected to identify those portions of the writing sample not exclusively their own work product and the extent of editing done by others. A copy of the OF 612 form may be obtained from this Office or from the personnel office of any Federal agency. Applicants may also submit letters of reference from persons recommending appointment. Applicants interested in be considered for a position with the Civil Division of this Office should so specify in the letter forwarding their application.

### C. Possible Conflicts of Interest

Depending upon the nature of your practice, your application to this Office may create the possibility of a conflict of interest. If you handle any cases — criminal or civil — in which this Office represents an adverse interest, it is incumbent upon you immediately to advise your client of the fact that you are seeking employment here and obtain your client's consent to your continued representation. It may also be necessary for you to advise the court that you have applied for a position here. If you are handling any cases in which a conflict may exist, you will be expected to provide this Office with a written waiver of the potential conflict signed by your client before you will be interviewed. Furthermore, if you are a resident of the District of Columbia and you are called for jury duty in the Superior Court or U.S. District Court after you have submitted your application for a position here, you must make the fact of your application known during voir dire in any case in which this Office represents a party.

### D. Interviewing Procedures

Because we receive a very large number of applications, it is impossible to interview all who apply. Our objective, however, is to give full and fair consideration to each applicant and make hiring commitments to the most highly qualified.

The first step of the hiring process is an initial review of all applications. Upon the completion of this initial review, a limited number of applicants are scheduled for interviews. The first series of interviews is conducted by two or three senior attorneys. Based upon the recommendations made by the initial panel of interviewers, an interview may be scheduled with the United States Attorney. After the completion of all interviews, final hiring decisions are made following an analysis of writing samples, consideration of letters of recommendation, and a reference check.

### E. Employment Offers

All employment offers are made subject to successful completion of an FBI background investigation, a drug test, and the normal budgetary constraints of the Department of Justice. At the time an employment offer is made, a prospective Assistant United States Attorney usually will be advised of a precise starting date, generally within six to eight weeks following the date of the offer. If the prospective Assistant United States Attorney is a "future hire," (s)he will be advised that a starting date will be determined as vacancies arise.

### F. FBI Background Investigation

The Federal Bureau of Investigation conducts an extensive background investigation of each applicant who receives an employment offer. In addition, during the interviewing process, applicants will also be asked questions concerning their background. Any applicant who may be concerned about his or her background is encouraged to discuss the matter with the Executive Assistant U.S. Attorney for Management.

### G. Four-Year Commitment and 60-Day Notice Requirement

As a prerequisite to employment, attorneys are asked for a commitment that they will serve with the Office for a period of not less than four years. Assistant United States Attorneys must also agree to provide at least 60 days' notice before resignation.

### H. Residence of Assistant United States Attorneys For the District of Columbia

Pursuant to the requirements of 28 U.S.C. § 545, Assistant United States Attorneys for the District of Columbia must reside within the District of Columbia or within 25 miles thereof.

### I. Entering Salaries and Benefits

Assistant United States Attorney positions are in the "Excepted Service," and entering salaries are established by the United States Attorney in accordance with a pay plan set by the Department of Justice. Salaries are not established within the "GS" schedule. Applicants with specific questions concerning entering salaries should contact the Executive Assistant United States Attorney for Operations. Questions concerning health insurance, life insurance, and retirement programs may be directed to the Personnel Office within the United States Attorney's Office.

### VI. CONCLUSION

The hiring process of this Office is designed to give full and fair consideration to each applicant. Because of staffing and budget limitations, we are able to make hiring commitments only to a limited number of the most highly qualified applicants. Although we can offer positions to only a very small percentage of those who submit applications, every applicant is of equal importance to us, and we genuinely appreciate the interest expressed in this Office.

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# Career Opportunities as a Civilian ATTORNEY for the Navy



DEPARTMENT OF THE NAVY OFFICE OF THE GENERAL COUNSEL 1000 NAVY PENTAGON WASHINGTON, DC 20350-1000

**OCTOBER 1998** 

NAVSO P-3556

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### INTRODUCTION

The Office of the General Counsel of the Navy (OGC) is a large law firm comprised of civilian lawyers from a wide variety of backgrounds. We provide legal advice and services to Navy employees engaged primarily in contracting, civilian personnel, and environmental matters for the Navy. OGC's approximately 600 civilian attorneys are located in Washington, D.C. (approximately 300) or in offices throughout the country and overseas (300). The Chief Legal Officer of the Navy is our General Counsel, who is also the personal legal advisor to the Secretary of the Navy.

The nature of our legal work is quite varied. Much of our energy is focused on one of the Department of the Navy's primary activities – building, repairing and supplying its fleet of ships and aircraft. As a result, the principal area of OGC's practice is business and commercial law, with a strong emphasis on government contracts. However, OGC attorneys also work in many other substantive legal areas, including real estate, utilities, the environment, employment law, and the law of intellectual property. About 70 OGC attorneys are members of the bar of the U. S. Trademark and Patent Office

OGC seeks the best qualified prospective law school graduates by recruiting at law schools throughout the country. The complexity of the legal work and the responsibility involved permits OGC to hire recent law school graduates at the GS-11 level. In keeping with our philosophy of OGC as a large international law firm, recent law school graduates who join our office are considered to be Associates. The major difference between private practice and OGC is that our Associates are given their own clients and cases - almost from their first day in the office. OGC encourages its attorneys to gain a wide range of legal experience by working in different sections of the office, and prometes and rewards each attorney as rapidly as performance and professional development merits.

# THE ORGANIZATION AND WORK OF OGC

The Department of the Navy is one of the world's largest businesses and employers of civilians (as well as uniformed personnel). To build and support its flect of aircraft carriers, nuclear submarines, cruisers, destroyers, supply ships, and aircraft, the Navy conducts billions of dollars worth of business annually, operating on a global scale. The Office of the General Counsel is comprised predominately of civilian attorneys, with a number of military judge advocates, who handle the wide variety of legal matters arising out of these many activities. The Judge Advocate General of the Navy and his subordinates are uniformed Naval officers who address legal matters that are primarily military in nature. They are, however, like OGC lawyers, involved in civilian personnel, employment and environmental law.

### The Founding of OGC

OGC was founded on September 10, 1941, by the Honorable James Forrestal, then Under Secretary of the Navy, on the recommendation of H. Struve Hensel, subsequently the first General Counsel of the Navy. The rapid increase in both the volume and complexity of ships and weapons being purchased at the beginning of World War II generated a similar increase in both the number and complexity of the legal problems associated with Navy logistics. The need for a law office to deal with these business and commercial law problems became evident and the Office of the General Counsel was founded to respond to this need.

On December 13, 1942, Under Secretary Forrestal decentralized Navy contracting and authorized it to be done by the various Navy Bureaus most familiar with Navy requirements, individual contractors, and the procurement process. Since then, Navy contracts have been awarded by commands and offices throughout the world, with advice from counsel assigned to them by the General Counsel. This decentralization of contracting authority is reflected in a parallel administrative decentralization of the Office of the General Counsel.

### Organization

The General Counsel of the Department of the Navy is appointed by the President with the advice and consent of the Senate. The Deputy General

Counsels, Associate General Counsels, Assistant General Counsels, and the various Command Counsels are appointed by the Secretary of the Navy. All other lawyers are appointed by the General Counsel.

The Central Office of OGC is comprised of three parts: (1) our senior leadership – the General Counsel, the Principal Deputy General Counsel, the Deputy General Counsel, and the Associate General Counsel (Management); (2) the Legal Services Support Group which includes the Associate General Counsel (Litigation), and a number of lawyers working in specialty legal areas; and (3) the Offices of the Assistant General Counsels.

The Central Office provides legal advice to the Navy Secretariat and Navy Headquarters Staff Offices. The General Counsel appoints a Counsel and a staff of attorneys to each component of the Navy whose responsibilities require our legal services. Most Navy contracting is conducted in five major Commands -- Naval Air Systems Command, Naval Facilities Engineering Command, Naval Sea Systems Command, Naval Supply Systems Command, and Space and Naval Warfare Systems Command. In addition, OGC serves the Commandant of the Marine Corps, the Military Sealift Command, and the Office of Naval Research, advising these clients in the conduct of their business and persomel activities. Many of these Command Headquarters have field activities throughout the United States and overseas. Most of our Offices at Command headquarters, Navy laboratones, and Research and Development Centers include intellectual property attorneys.

Because each component of OGC is an integral part of the client organization it serves, OGC carefully avoids the highly structured hierarchy that characterizes the typical Government organization. Legal practice demands the closest of personal relationships among lawyers and between lawyers and their clients, so OGC is managed with an emphasis on teamwork, flexibility and a minimum of formality. Whether in the Central Office, or on the staff of one of the Command Counsel, each junior lawyer is expected to be personally responsible for his/her assignments. The lawyer is, of course, under the supervision of more experienced lawyers, just as a law firm associate reports to fpartner. At the same time, the junior lawyer represents and deals directly with the client within the Navy on the matters assigned. OGC clients include the Secretary of the Navy, the Under Secretary, the Assistant Secretaries, the heads of the various business agencies of the Navy, the Navy's contrading officers, program officers, and other business executives. Some of these persons become the clients of the junior OGC lawyer almost from the first day of work.

### Office of the General Counsel

### Office of Mayal Research Counsel (Ethics) Milltary Sealift Command Counsel Assistant General Counsel Systems Command Systems Comman Wartare Systems Command Systems Command emmoD galseariga Counsel Mayal Alt Space & Mayal Counsel May May 1998 Vidgue Inval Counsel Counsel Counsel Comptroller) Reserve Attairs) ommandant of the U.S. Marine Corps Environment) nent & Acquisition) General Counsel & anolisiistani) odue jy) (Research, De General Counsel General Counsel General Counsel Counsel InstalsaA InstalesA InstalesA (Management) Associate General Counsel Convect (Filigation) Deputy General Counsel, IstanaD atslacesA Principal Deputy General Counsel General Counsel

### The Work of OGC

supporting the Department of Justice in litigation brought by or against the Navy compensation, evaluating requests for information and documentation under the in Feceral courts, and reviewing proposed actions to determine whether they are authorized by law or regulation. Among the many other substantive legal areas personnel, real property, public utility, corporate, environmental, transportation, development contracting, fiscal and financial problems, state and local taxation, areas. Attorneys in the business and commercial law subject area can expect to commercial law, as well as public employment law, patent law and many other The work of the office includes virtually every phase of business and negotiating and drafting contracts, evaluating the legal sufficiency of factual Freedom of Information Act, representing the Navy in administrative cases. and maritime law, as well as property disposition and leasing, research and that may be touched on in our practice are government contracts, civilian bankruptcy, conflicts of interest, and rights in patents and technical data. be involved in a wide variety of legal problems involving such things as allegations made by a contractor in support of a claim for additional

To a new attorney, the most noteworthy feature of OGC's organization is the closeness of contact it permits between OGC attorneys and their clients. Each of the different Offices of Counsel in which OGC attorneys work is located in close proximity to the offices of the contracting officers, negotiators, inventors and other Navy officials whom the attorney represents and counsels in legal matters.

# EMPLOYMENT AND CAREER OPPORTUNITIES WITH OGC

## Hiring and Advancement

All attorneys in OGC are recruited, hired, and promoted by OGC. The hiring and promotion decisions are made at the General Counsel level, upon the recommendation by the Command Counsel. It is the policy of OGC to assign work of considerable responsibility to new attorneys as soon as they report for duty and to increase their responsibility as quickly as their performance warrants. All legal positions within OGC now carry sufficient responsibility to warrant the assignment of at least a grade GS-11, and new attorneys are

recruited for employment at that grade. At the time of this writing, the starting salary for attorneys beginning work at the GS-11 level in the fall of 1998 is \$36,609 (plus, a locality pay increase in specified areas)

they would merit a promotion to the next higher grade. An additional method of a law firm and now pays approximately \$61,656 (plus, a locality pay increase in five years. The GS-14 level is roughly equivalent to that of a senier associate in After approximately one year, new attorneys are evaluated to determine head and review by the chain of command within OGC. Depending upon merit partner." This promotion also depends upon evaluation of the attorney's ability attorneys with managerial skills advance to a Senior Executive Service position, if both their skill level and job responsibilities have increased to the point that thus improving opportunities for advancement to more senior positions within and professional progress as well as organizational needs. Extremely capable and promotional opportunities, an attorney may reach grade GS-14 in four to advancement is through transfer to another position within OGC. All vacant encouraged as a means of broadening an attorney's skills and experience and OGC. Promotion actions are based upon a personal evaluation by the office specified areas). Promotion to the GS-15 level is equivalent to "making positions are first advertised within OGC. Transfers among offices are analogous to a senior partner in a law firm.

# Recruiting Practices and Results

As part of its fall recruitment for law students, OGC sends representatives to interview at law schools and consortiums throughout the nation. Although many OGC attorneys live and work in the Washington, D.C. area, OGC is a world-wide office and prides itself on the diverse backgrounds of its members. OGC recruits widely to maintain the national character of the office and obtain the most qualified prospects. All applications are screened, however.

The Summer Law Clerk Program. OGC hires eight to ten second-year law students each year to work for eight to twelve weeks as summer law clerks in the Washington, D.C. area. At the time of this writing, these positions pay \$624 per week (including a locality pay increase). Recruitment starts in the early fall and extends through early November. Eligibility for this program is restricted to

students who will have completed two full years of law school at the start of their summer elerkships. A student who is the son or daughter of a Navy civilian or military employee is not eligible for this program. On average, OGC has made "advance commitments" to about 80 percent of the summer law clerks.

The Advance Commitment Program. Each fall OGC hires law students who participated in its Summer Law Clerk Program the previous summer as "Advance Commitments" for employment after graduation, either before or after the summer bar examination. This procedure -- recruiting in advance to fill positions which are not vacant at the time the offer of employment is made -- is very unusual within the Government, but it has served OGC well for many years. Many of the best attorneys in the OGC were hired under this program.

The choice of second and third-year students to whom positions will be offered is made by the Associate General Counsel (Management). The required interview and writing sample are the primary sources of information concerning the personality and character of the applicant, and references are checked to verify favorable impressions. In addition, the Office seeks new attorneys and law clerks who have the potential to handle the difficult and challenging assignments that confront all OGC attomeys. Academic performance in law school is considered an important predictor of future accomplishment. Competition for positions in OGC is very intense. A strong academic record is, as a practical matter, a prerequisite to consideration for a job offer.

Most students offered positions were members of at least one law school honorary association, often including Law Review or Moot Court Board, All who know their class standing were near the top of their class; students whose schools do not release class standings had achieved comparable academic credentials. Individuals seeking positions as patent attorneys must have an engineering degree or a degree; in the physical sciences. The academic and professional qualifications of experienced attorneys hired by OGC are equally impressive.

Often a vacancy requires the recruitment of an experienced attorney. Because the skills, knowledge, and abilities required will vary between positions, there is no way to describe here the qualifications of the experienced attorney who is sought, although experience in government contracts, civilian personnel,

patent, and environmental law is always desirable. Each position has its own requirements, and each case is therefore treated individually. However, attorneys hired by OGC come from diverse backgrounds ranging from sole practitioners to attorneys from the largest private practices.

### Professional Rewards

The work at CGC is difficult and the responsibility assigned OGC attorneys can seem overwhelming, but the professional rewards are commensurate. Frequently a new attorney can be found working on a matter that involves hundreds of millions of dollars, meeting with Admirals, corporate presidents, high ranking Federal officers, or litigating cases against prestigious members of the private bar. Even an attorney who joins one of the best major urban law firms is unlikely to have the responsibility and exposure in the first few years that an OGC attorney will experience.

Another practical consideration, applicable to all Federal attorneys but particularly to those in Navy OGC, is the contribution to an attorney's career that is made by an initial period of government service. In OGC an attorney learns the basic legal skills the hard way – and the only way – by actually practicing them. In addition, the new attorney starts on the road to mastery of a significant body of substantive law, primarily government contract, civilian personnel, environmental, and patent law. If one elects a legal career in Federal service, the opportunities are considerable both within OGC and in other Government law offices.

OGC attorneys do not keep time records for billing, but neither are they constrained by the standard Government workday. The necessary time is invested to meet the professional responsibilities.

ogc differs from many other Government law offices in the number of as their lifetime career. In recent years several GS-15 attorneys with between five and len years of experience have departed for positions with private law firms as partners or senior associates. Others have taken promotions to the GS-firms as partners or senior associates. Others have taken promotions to the GS-firms as partners or senior associates. Others have taken promotions to the GS-fis or Senior Executive Service level when transferring to other Government is or Sandra have joined the Law Departments of major corporations. There is no standard pattern of service in OGC.

### Equal Employment

The Office of the General Coursel, as part of the Federal Government, is wholly committed to the goal of equal opportunity employment. OGC actively sceks qualified applicants among women and minority-group attorneys and law students, and makes offers of employment to comparably qualified applicants regardless of race, color, national origin, religion, sex, sexual orientation, age, handicap, political affiliation and marital status.

### THE OFFICES OF COUNSEL

### The Central Office

The General Counsel is the Chief Legal Officer of the Department of the Navy and the legal advisor of the Secretary of the Navy. The General Counsel is directly responsible for providing legal services to the Secretary of the Navy, the Under Secretary, and the Assistant Secretaries and their staffs. The General Counsel and the Central Office are in direct and frequent contact with these officials. The General Counsel oversees and coordinates the work of the Counsel to the various Commands and their attorneys. Navy-wide legal policy is promulgated by the Central Office, generally after consultation with all concerned lawyers and other personnel. Potential differences of interpretation between Offices of Counsel are anticipated and resolved by the Central Office.

The Principal Deputy General Counsel is the alter ego of the General Counsel. The Principal Deputy is responsible for overall policy coordination within OGC, and reviews for legal sufficiency policy determinations and statements emanating from the Navy Secretariat. Matters of concern to the Principal Deputy involve the full range of legal issues of interest to the Navy. The Principal Deputy General Counsel may be called upon to provide legal advice on a day-to-day basis to many clients, including the Secretary of the Navy, the Under Secretary, the Assistant Secretaries, and all of the many Offices of Counsel which comprise OGC.

The Deputy General Counsel is responsible for the coordination of OGC's legal practice, its uniformity of opinion, and high professional quality everywhere. This Deputy oversees the work of the Assistant General Counsels, the Command Counsel, and their respective organizations, participating in the resolution of major legal matters and formulating standards or policy as necessary to ensure consistency of office positions on common issues. The Deputy General Counsel participates in special studies, the conduct of major littigation, investigations and legislative proposals, the coordination of legal matters with other Government agencies, and advises the General Counsel and members of the Navy Secretariat on matters before them for consideration by Navy civilian personnel.

The Associate General Counsel (Management) is the equivalent of a managing partner in a large law firm and has overall responsibility for internal operations of OGC. This lawyer oversees the hiring, promotion and professional development of all lawyers in OGC. Questions regarding office expansion, reorganization, the development of new training initiatives, the creation of work objectives and similar issues are in the province of this Associate General Counsel. In addition, the Associate General Counsel (Management) provides general supervision to the Procurement Integrity Office, and oversees the law school recruiting program.

The Associate General Counsel (Litigation) is directly responsible for all litigation matters under the cognizance of the General Counsel. These matters primarily include government contract law, environmental law, and civilian personnel law. This Associate General Counsel supervises and manages the Navy Litigation Office, serves as the Navy's Chief Trial Attorney, establishes policies and procedures for the conduct of litigation throughout OGC, assigns OGC automoys to handle individual cases (both trial attorneys in the Navy Litigation Office and trial attorneys in the various Offices of Counsel), and provides training opportunities for OGC attorneys in litigation matters.

Litigation Office. The Navy Litigation Office is responsible for representing the Navy in significant cases. Approximately 35 attorneys are organized into trial teams, each with a Team Chief, and two to five trial attorneys. Litigation office attorneys are involved in litigation involving federal procurement law, civilian personnel law, environmental law, and a variety of special litigation matters. Because of the nature of the work, Litigation Office attorneys travel frequently. Navy litigation attorneys usually appear before administrative tribunals, such as the Armed Services Board of Contract Appeals, and assist both Department of Justice and U.S. Attorney lawyers in representing the Navy in Federal court.

The Assistant General Counsel (Ethics) is the principal adviser to the General Counsel with respect to Government Ethics. Working under the Deputy General Counsel, this attorney and his/her staff assist the General Counsel in managing the Department of the Navy's Ethics Program. He/she also assists the Department's Presidential appointees in the Senate confirmation process and performs the final review of all public financial disclosure reports submitted by

Navy civilian personnel. He/she serves as the Navy's primary liaison to the Office of Government Ethics.

The Assistant General Counsel (Financial Management and Comptroller of the Navy) is OGC's primary legal advisor on financial matters for the Secretary of the Navy and the Assistant Secretary of the Navy (Financial Management and Comptroller of the Navy). This Assistant General Counsel provides advice to all of the Commands and offices within the Department of the Navy on fiscal issues. The office serves as the focal point for fiscal matters involving the other military departments, the Department of Defense, the Office of Management and Budget, the General Accounting Office and the congressional oversight committees. The attorneys in this office furnish advice, assistance and interpretations in the area of financial management concerning program and budget, interpretation of stautory matters involving authorization and appropriation, legal availability of appropriations, and program execution including environmental actions. The office also serves as the focal point within OGC for all legislative matters of concern to the Department of the Navy. In addition, the office handles all bankruptcy matters within the Department of the Navy.

delivery of these services throughout the Department, both affoat and ashore, and the Assistant General Counsel also serves as the environmental law counselor to U.S.C. §2667), the Clean Air and Clean Water Acts, the National Environmental environmental and real property statutes, including, the basic leasing statute (10 Counsel and his/her staff, including the Counsels to the Regional Environmental Recovery Act of 1976, the Marine Protection, Research, and Sanctuaries Act of 1972, the Occan Dumping Ban Act of 1988, and the Endangered Species Act of the General Counsel of the Navy. These lawyers deal with the entire panoply of Environment), and to the Office of the Chief of Naval Operations, all of whom 1973. The Assistant General Counsel also is the principal legal advisor to the Coordinators, are the main focal points in the Department of the Navy for the provides legal services to the Assistant Secretary of the Navy (Installations & environmental compliance and real property/facilities. The Assistant General The Assistant General Counsel (Installations and Environment) are responsible for discharging the Department of the Navy's programs in Compensation, and Liability Act of 1980, the Resource Conservation and Policy Act of 1969, the Comprehensive Environmental Response,

Departmental officials responsible for implementing approved recommendations for the closure or realignment of naval installations under the Defense Base Closure and Realignment Act of 1990. Likewise, the Assistant General Counsel is responsible for coordinating and providing, if necessary, appropriate training opportunities to both civilian and uniformed attorneys in the Department of the Navy throughout the world.

The Assistant General Counsel (Manpower and Reserve Affairs) has Departmental responsibility for the delivery of legal services involving military and civilian personnel policy and administration. The AGC (M&RA) works closely with the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant on a wide range of personnel issues that come to the Navy Secretariat for decision. He/she also works closely with the other Assistant General Counsels and Command Counsels in the area of civilian personnel law. In addition to managing his/her own staff of attorneys, the AGC (M&RA) provides general management to the Office of Counsel for the staff of the Deputy Assistant Secretary of the Navy (Civilian Personnel/Equal Employment Opportunity) and the Director, Human Resources Operations Center; the Office of Counsel, Chief of Naval Education and Training; the Office of Counsel, Contracting Center, Naples; and the Department of Defense Elementary and Secondary Schools.

Assistant General Counsel (Research, Development and Acquisition) advises the General Counsel and the Navy Secretariat on all acquisition matters dealt with at the Secretariat level. In particular, the Assistant General Counsel is the principal legal advisor to the Assistant Secretary of the Navy (Research, Development and Acquisition), the senior Navy official in charge of setting policy for and managing all aspects of the Navy's research, development, and acquisition programs. The Assistant General Counsel also coordinates with Command Counsel to ensure consistency in legal policy and practice in this subject area. In addition to managing his/her own staff of attorneys, the Assistant General Counsel provides general supervision to the Offices of Counsel for Strategic Systems Programs, the Navy international Programs Office, the Special Projects Office, and Counsel to the Chief Information Officer for the Department of the Navy.

# Counsel for the Commandant, United States Marine Corps

By virtue of it esprit decorps and proficiency in military operations, the United States Marine Corps is one of the citte military organizations of the campaigns, and for other operations as directed by the President. It also provides security for U.S. Embassies throughout the world. The Commandant of the Marine Corps serves with the Chiefs of the other Military Services on the Joint Chiefs of Staff. Marine Corps bases and air stations are Iccated overseas as well as within the continental United States.

working with the Department of Justice and United States Attorneys in litigation condemnation. The Office of Counsel handles claims by and against contractors and common carriers, and it serves Marine Corps commissaries, exchanges, and U.S. Marine Corps, Arlington, Virginia, with field offices on the West and East The Office of Counsel for the Commandant is located at Headquarters, clubs and messes in the business aspects of their operations, such as purchases, development and other services, leases; acquisition of land; easements; water Standards of Conduct, Freedom of Information Act, and Privacy Act matters; preparation, award and administration of contracts for supplies, research and Coasts as well as other locations in the United States. These offices provide sales, concessionaire contracts, pension fund agreements, and insurance and bank credit card arrangements. Other duties include reviewing and drafting legislation and directives, counseling personnel and supervisors concerning advising on gifts, bailments, rentals, and disposal of personal property; and legal advice and services on a broad spectrum of matters, including the rights; zoning; civilian personnel law; the environment; and inverse affecting the Marine Corps.

# Counsel for the Naval Air Systems Command

The Naval Air Systems Command (NAVAIR) is responsible for the development, acquisition, management and maintenance of the Navy's aircraft and certain of its missiles. This responsibility includes a multitude of products - from cargo planes and helicopters to the latest fighter and attack aircraft to advance missile systems and ummanned vehicles. Some of the major programs are the Joint Strike Fighter, the V-22, the F/A-18, the F-14, the Sidewinder

nissile, the Harpoon missile, the presidential helicopters, the TOMAHAWK Cruise Missile and unmanned aerial surveillance vehicles. In these and related electronics, support, spare parts, and overhaul programs, NAVAIR deals with the major corporations in the aerospace industry and with numerous foreign Governments. NAVAIR Headquarters is located in Pauxent River, Maryland

them to establish a well rounded background in OGC practice areas and assisting Act issues, and ethics and standards of conduct questions. Attorneys involved in environmental law, fiscal law, intellectual property law, Freedom of Information concentrate on acquisition counseling, patent infringement claims and litigation, civilian personnel play an advocacy and advisory role in representing NAVAIR them in career development. Each attorney is assigned to on-going programs or command management personnel. New attorneys usually also become involved for a team of contracts personnel, analysts, engineers and program managers or clients, and over 30 attomeys providing advice to NAVAIR's field organization. efforts. The office includes over 40 attorneys advising NAVAIR headquarters acquisition program or civilian personnel law litigation) and serves as counsel Coronado, California. New attomeys are assigned a variety of work, enabling While the major focus of the Office of Counsel's work is procurement law, a The Office of Counsel provides legal advice to NAVAIR in all of its Services Board of Contract Appeals or the Merit Systems Protection Board. environmental matters concentrate on NEPA issues as well as base closure which includes the Naval Air Warfare Center Aircraft Division at Patuxent River, Maryland and Lakehurst, New Jersey; the Naval Air Warfare Center Aviation Depots at Jacksonville, Florida, Cherry Point, North Carolina and Weapons Division at Pt. Mugu and China Lake, California; the Naval Air Warfare Center Training Systems Division at Orlando, Florida; and Naval management, both as to informal litigation as well as during the informal in defending NAVAIR before the General Accounting Office, the Armed projects under one of the eight senior Associate Counsels (e.g. a specific grievance process. Attorneys assigned to intellectual property matters invention surveillance and patent prosecution. Attorneys assigned to significant amount of attorney time is spent in civilian personnel law,

# Counsel for the Naval Facilities Engineering Command

The Naval Facilities Engineering Command (NAVFAC) provides technical assistance and logistic support to the naval shore establishment, the operating forces of the Navy, and other Defense agencies. The support provided covers public works construction and operation, environmental services, oceanographic engineering, provision of public utilities, procurement of construction and transportation equipment, provision and maintenance of military family housing, acquisition management and disposal of real property, and implementation and management of energy programs.

activities throughout the United States and overseas locations. The legal practice Armed Services Board of Contract Appeals in their first year of practice with the Command In addition, NAVFAC trial attorneys represent the Navy before state law). Each Associate is the office's expert in his/her area of practice. NAVFAC area of our practice. Many NAVFAC attorneys, other than those working on the The NAVFAC Office of Counsel is composed of approximately of the NAVFAC Office of Counsel is reflected in the alignment at Headquarters. field attorneys are cither generalists or specialists depending upon the size of the litigation at the United States Claims Court. Environmental law is an increasing career as amember of a trial team. Because NAVFAC is a party to hundreds of field office and the nature of the legal practice there. NAVFAC offers the new Litigation, Acquisition, and Land Use (real estate, housing, and environmental 90 attorneys, 17 associated with Headquarers, the remainder at various field litigation teams, find themselves working closely with various United States Attorneys' Offices and Department of Justice attorneys in NAVFAC actions small contract disputes, new attorneys get actual trial experience before the attorney a unique opportunity to develop litigation skills early in their legal public utility commissions and help Department of Justice attorneys with The principal areas of practice are assigned to three Associate Counsel: before various Federal courts.

# Counsel for the Naval Sea Systems Command

The Naval Sea Systems Command (NAVSEA) is the largest single business activity in the Navy and one of the largest business establishments in the Federal Government or, indeed, in the entire country. In combination with Program Executive Officers, NAVSEA acquires or supports the acquisition of

naval vessels as well as the armament and sophisticated electronic and propulsion systems that go on board the vessels. In addition, NAVSEA manages the Naval Surface and Naval Undersea Warfare Centers consisting of specialized laboratories and engineering activities, and oversees a massive industrial base including four naval shipyards. Naval ordnance and weapons stations formerly under the Command are being transferred to the Fleet Commands, but NAVSEA Counsel retains oversight of the legal services at those activities.

and base closures has resulted in the increased practice of law concerning civilian entailing Federal Court litigation. Likewise, the Navy's trend toward downsizing personnel and the Defense Base Realignment and Closure Act and outsourcing. advising Navy personnel involved in the acquisition of ships, weapons and ship protests and attendant litigation. The industrial nature of many NAVSEA field cadquarters in Arlington, Virginia, and at some 31 field locations including all contracting actions, and assisting in resolving problems arising during contract acquisition of naval vessels and their compenents involves a variety of unique requiring negotiations with state, local and federal regulators and, on occasion, information Act, warranties, small business questions, conflict of interest, and ive naval ordnance and weapons stations, using the services of approximately 20 lawyers, including approximately 50 attorneys located in Arlington. The NAVSEA's Office of Counsel provides legal advice both at NAVSEA inancing, labor and socio-economic questions, as well as contract claims, bid United States as large and complex as a ship, it comes as no surprise that the majority of attorneys at NAVSEA headquarters handle procurement matters, systems, responding to litigation and other diallenges to the legality of those activities has resulted in a growing number of environmental legal questions including patents and other intellectual property, contract fraud, Freedom of n addition, NAVSEA attorneys deal in a variety of other specialized fields, performance. Since there is probably no other single item purchased by the egal issues including methods of contracting, competitive source selection, asbestos litigation support.

# Counsel for the Naval Supply Systems Command

In February 1998, the Navy Supply Corps celebrated its 253<sup>rd</sup> birthday. During this same month in 1795, President George Washington appointed Tench Francis as the first "Purveyor of Supplies" for the fledgling Government of the

United States. Today, the Naval Supply Systems Command (NAVSUP) mission of purveying supplies for U.S. Naval Forces worldwide is still vibrant and those who work for NAVSUP are more committed than ever to ensuring that the United States Naval Forces receive quality supplies and services.

NAVSUP's primary mission is to provide U.S. Naval Forces with quality supplies and services. With headquarters in Mechanicsburg, Pennsylvania, and employing a worldwide work force of more than 820 military personnel and approximately 11,000 civilians, NAVSUP oversees logistics programs in the areas of supply operations, contracting, resale, fuel, transportation, security assistance and mobile fleet hospital support. In addition, NAVSUP is responsible for Quality of Life issues for our naval forces, including food service, postal services, and movement of household goods.

may include providing legal advice in government acquisition; fiscal law; ethics; of Contract Appeals, the General Services Board of Contract Appeals, and state NAVSUP headquarters is located in Mechanicsburg, Pennsylvania. The and various other administrative matters, including Freedom of Information and Systems Protection Board, the Department of Labor, the Armed Services Board echelon of NAVSUP reviewing policy and command-wide decisions, as well as Affairs are located in the Headquarters of the Command. This small but tightly support of judicial actions before the Federal Court of Claims, Federal District Counsel, three Associate Counsel, and one Assistant for Legal and Legislative supervising the attorneys assigned to 19 field locations throughout the United tribunals such as the Equal Employment Opportunity Commission, the Ment resources and equal employment opportunity; environmental law, legislation; knit group of senior attorneys work closely with the senior managers and top States, Europe, Asia, and the Middle East. The practice of law is diverse and sederal, state and local taxation; bankruptcy; fraud, waste and abuse; human Workers' Compensation Boards, and State Environmental Agencies, and in Privacy Acts, and regulatory reform. Advocacy work before administrative Courts, and Courts of Appeals for the various Circuits, is often necessary. approximately 60 attorneys in the Office of Counsel, the Counsel, Deputy Office of Counsel employs attorneys who provide counsel to the Navy's administrative tribunals, such as Unemployment Compensation Boards, business managers and advocates for its business decisions. Of the

# Counsel for the Space and Naval Warfare Systems Command

the Navy for space systems, command, control, communications and intelligence, budget in excess of four billion dollars. Some of the systems equipment falling responsibility for the procurement and technical and logistic support of a wide Center, and numerous other field activities and facilities, has a total operating (SPAWAR) is to provide material and technical support to the Department of with its warfare center, the Naval Command, Control and Ocean Surveillance systems and equipment. A world-wide organization, the Command, together equipment, Marine Corps expeditionary and amphibious equipment, remote integration among total naval battle forces. Some material support is also variety of the most advanced and technologically sophisticated electronic within SPAWAR's responsibility include satellites, undersea surveillance The mission of the Space and Naval Warfare Systems Command and undersea surveillance. In addition, the Command is charged with the responsibility to provide force warfighting architecture and requirements sensors, and complete command, control and communications systems. provided for the Marine Corps. Accordingly, the Command has the

California and Charleston, South Carolina. Both the headquarters office and the Opportunity Commission and participate in litigation in the federal courts. The personnel law, environmental law and intellectual property law, as well as more ttorneys with individual attention and close working relationships with senior field offices provide legal services in the field of business and commercial law, specialized areas such as standards of conduct/conflict of interest, fraud, waste also represent the Command before the General Accounting Office, the Armed and abuse, Freedom of Information and Privacy Acts and base closure. They Services Board of Contract Appeals, the General Services Board of Contract experience in all areas of OGC practice, while small enough to provide new office is large enough to offer excellent resources and opportunities to gain SPAWAR Office of Counsel consists of approximately 28 lawyers, 18 at Command Headquarters, and 10 in field activities located in San Diego, Appeals, the Merit Systems Protection Board, the Equal Employment SPAWAR Headquarters is located in San Diego, California. ittomeys and clients.

## Counsel for the Military Sealift Command

petroleum reserve program. MSC's Government-owned ships are operated either Defense components. MSC is unique in that it is both a fleet operational agency The Military Sealift Command (MSC) is a major Navy Command and a responsible for a variety of missions, including providing strategic sealift for the contracts for ship repairs, supplies and services. MSC also precures ships from conducting special missions involving the operation of ships for Department of private owners under contracts called "charter parties" or by contracting for the agreement with the Department of Energy (DOE), MSC also is responsible for Navy, missile tracking for National Aeronautics & Space Administration, and procuring the ocean transportation of crude oil purchased for DOE's strategic Department of Defense, direct fleet support to the Navy combatant fleet, and Government-owned and privately-owned ships consisting of dry cargo ships, cable laying and repair operations for the Navy and the Air Force. Under an tankers, naval auxiliary ships, and special project ships. The special project ships conduct missions such as ocean research for the Oceanographer of the by civil service mariners or contract operators who employ private sector and a procurement activity. MSC operates a fleet of approximately 140 mariners. For those Government ships operated by civil servants, MSC component of the joint service U.S. Transportation Command. MSC is movement of cargo with ocean common carriers. The Headquarters of MSC is in Washington, D.C. There are fourteen attorneys in Washington, D.C. and sixteen in the nine Area Commands, located on the West and East Coasts and overseas. Counsel at each of the four Area Commands and in Washington, D.C. occupy a key role in their respective Commands. Because MSC is comparable to both a private shipping company and a volume shipper, the legal and contractual issues addressed by MSC attorneys involve an extremely wide range of procurement and operational problems. Consequently, MSC attorneys must not only be familiar with Government contract law, fiscal law, civilian personnel law and standards of conduct, but must also have a knowledge of admirally law, maritime regulatory law, and maritime industry practices.

### Counsel for the Office of Naval Research

management and oversight responsibility for the Navy's corporate laboratory, the communication are so broad that the results often have significant benefits in the organizations and individuals concerned with scientific research. ONR also has represents the Navy in all types of agreements with other government agencies, physical sciences, ocean sciences, engineering sciences, life sciences, advanced areas of interest to the national defense, these areas, such as mathematical and institutions, acts as the Navy focal point for worldwide research information, program, the Navy's domestic technology transfer program, the Navy's small concerning patents, inventions, trademarks, copyrights and royalty payments (intellectual property). While research managed by ONR is directed toward The Office of Naval Research (ONR) manages and coordinates the business innovation research program and the Navy's advanced technology Navy's basic research program. It is responsible for the administration of development program. ONR is responsible for Navy policy and direction Naval Research Laboratory (NRL), the Navy's exploratory development corporations, educational and scientific research institutions, and other vehicles technology, applied oceanography, acoustics, surveillance and contracts and grants for the Department of Defense at all educational commercial sector.

The Office of Counsel directly advises the Chief of Naval Research and the Directorate Heads on all legal matters affecting ONR. The Office is also responsible for formulating and establishing Navy policy on intellectual property. The major areas of practice include contracts and grants, personnel law, standards of conduct, Freedom of Information and Privacy Acts, indirect costs, patent soliciting, patent licensing, coordinating the investigation and administrative determination of patent and copyright infingement claims, patent and copyright litigation, monitoring the compliance by contractor and grantees with patent rights clauses, and review of cooperative research and development agreements. The Office of Counsel, ONR, has field offices throughout the United States. These offices' primary areas of practice include contract law, personnel law and standards of conduct, patent soliciting, and interagency, international and cooperative agreements.



### DEPARTMENT OF THE NAVY OFFICE OF THE GENERAL COUNSEL WASHINGTON, D.C. 20350-1000

### FIRM INFORMATION FORM

The Office of the General Counsel (OGC) Department of the Navy functions as a large law firm and is a vital part of the United States Government. It is separate in both organization and practice from the Navy's Judge Advocate General's Corp. OGC consists of approximately 597 civilian attorneys, with approximately 300 located in Washington, D.C., and the others in field offices approximately 300 located in Washington, D.C., and the others in field offices throughout the country and abroad. The General Counsel is the personal legal advisor to the Secretary of the Navy, and OGC attorneys assist in providing legal services to the Secretary, his staff, and personnel throughout the Navy.

The legal work of OGC is extremely sophisticated as well as varied. The bulk of the work centers around the Department of the Navy's primary activity of building and supplying its fleet of ships and aircraft. As a result, the principal area of OGC's practice is government contract law, which is similar in nature to a business and commercial law practice. Many of the cases involve several hundred million dollars in purchases or claims. Additionally, OGC attorneys work in areas such as real estate law, utilities law, environmental law, admiralty law, and civilian personnel law.

OGC also includes approximately 70 patent attorneys. Individuals interested solely in pursuing a patent specialization must possess a bachelor's degree, or equivalent experience, in chemistry, physics, electronics, electrical engineering or mechanical engineering.

The philosophy of OGC is to view itself as a large, urban law firm. New attorneys are treated as associates with the major difference being that they are given their own clients and cases almost from their first day at work. Since OGC attorneys make decisions which not only affect the government's interest but also may significantly affect the interest of some of the largest corporations in the United States, OGC seeks the best qualified attorneys and law students. This is accomplished by recruiting at law schools throughout the country. OGC hires approximately 6 to 10 summer law clerks each year from law students who have completed at least two years of legal studies and makes advance commitments to approximately 5 to 8 graduating law students. The complexity of the legal work and the responsibility involved permits OGC to hire beginning attorneys at the GS-11 level.

OGC encourages its attorneys to gain a variety of legal experience by working in different sections of the organization, and promotes and rewards each attorney as rapidly as his/her performance and professional development merits. ALL HIRING AND ADVANCEMENT IN THE OFFICE OF THE GENERAL COUNSEL IS BASED ON MERIT WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, SEX, SEXUAL ORIENTATION, HANDICAP, POLITICAL AFFILIATION OR MARITAL STATUS.

Navy General Counsel Information booklets should be available at the Placement Office. Since selections are made in the late fall, the deadline for applying is 8 November. Interested individuals should forward a copy of their resume and a writing sample to:

Assistant to the General Counsel
Office of the Associate General Counsel (Management)
Department of the Navy
1000 Navy Pentagon, Room 5B731
Washington, DC 20350-1000

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### Practicing Law //for the // Office of the Legal Adviser

### Practicing Law for the Office of the Legal Adviser

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### Practicing Law for the Office of the Legal Adviser

The Office of the Legal Adviser furnishes advice on all legal issues, domestic and international, arising in the course of the Department's work. This includes assisting Department principals and policy officers in formulating and implementing the foreign policies of the United States, and promoting the development of international law and its institutions as a fundamental element of those policies.

Attorncys in the Office have challenging opportunities to contribute to the development and conduct of U.S. foreign policy, to work directly with high-level U.S. and foreign officials, the Congress and the White House staff, as well as to travel overseas. Typically, attorncys draft, negotiate and interpret international agreements, domestic statutes, Departmental regulations, Executive Orders and other legal documents, and provide guidance on questions of international and domestic law. They represent or assist in representing the U.S. in meetings of international organizations and conferences and many United Nations programs.

Attorneys may be called on to participate in international negoliations involving a wide range of matters, such as peace initiatives, arms control discussions, international commodity agreements, consular conventions and private law conventions on subjects like judicial cooperation and recognition of foreign judgments. They work closely with the Department of Justice in litigation in the United States and foreign countries affecting the Department's interests. In addition, the Office represents the U.S. before international ribunals such as the International Court of Justice and the Iran-United States Claims Tribunal, as well as in international arbitrations. In recent years attorneys have had increasing opportunities to represent the Department in domestic courts and administrative courts for the Foreign Service Grievance Board, the Merit Systems Protection Board and the Equal Opportunity Employment Commission.

The Office is comprised of approximately 100 permanent automeys and about 60 support staff, including paralegal specialists, treaty analysts, secretaries and general administrative personnel. Although all are stationed in Washington, D.C., the Office also staffs attomey positions in Geneva and The Hague, and on occasion provides attorneys for other overseas posts. Attorneys typically rotate assignments within the Office every 2 or 3 years to broaden their experience and take on new challenges. Those who perform well can expect rapid career advancement and substantial independence and responsibility at an early stage in their career.

# Organization and Functions

The Office is organized to provide direct legal support to the Department of State's various bureaus, including both regional or geographic offices (those which focus on specific areas of the world) and functional offices (those which deal with specific subject matters such as economics and business, international environmental and scientific issues, or internal management).

The Legal Adviser holds a rank equivalent to that of Assistant Secretary of State and reports directly to the Secretary of State. Four Deputy Legal Advisers collectively supervise Assistant Legal Advisers, who manage the individual regional and functional offices described below.

### Regional Offices

The Department's regional bureaus oversee the U.S. embassics and consulates and coordinate U.S. foreign relations in their respective geographic areas. Assistant Legal Advisers supervise the attorneys who support those bureaus, dealing with such matters as protection of U.S. citizens and investments, problems in diplomatic and consular relations, interpretation and negotiation of treaties, military base rights and status of force issues, peaceful settlement of disputes, and trade matters. Among the issues and the

activities which draw on the Offices's legal staff in the various regions are the following:

Office of African Affairs (L/AF): South Africa issues; decolonization and armed conflict; border questions; military facility and space tracking agreements; U.S. cooperation in developing African legal institutions; and recognition of new states and governments.

Office of East Asian and Pacific Affairs (L/EAP): U.S. commitments in East Asia and the Pacific, including ANZUS and U.S. bilateral defense treaties; U.S. military presence in Australia, Japan, Korea, and the Philippines; relations with the People's Republic of China; commercial, cultural and other non-governmental relations with Taiwan; and U.S. policy toward Cambodia and Vietnam.

Office of European and Canadian Affairs (L/EUR): The European Union; Organization for Security and Cooperation in Europe (SCE); trade and economic cooperation issues; the NATO alliance and defense cooperation issues; democratization and assistance to Eastem Europe and the successor states to the former Soviet Union; and U.S.-Canada boundary issues, including transboundary air and water pollution.

Office of Inter-American Affairs (L/ARA); Relations with the goverrments of Latin America, Central America and the Caribbean; issues concerning U.S. participation in the Organization of American States; implementation of the Panama Canal treaties; Cuba, including assets control, U.S. rights at Guantanamo, Helms-Burton Act issues; illegal migration and refuge issues; Haiti, in particular, foreign assistance issues; and domestic and international litigation relating to U.S. activities in the region.

Office of Near Eastern and South Asian Affairs (L/NESA): Problems relating to peace in the Middle East, the Multinational Force and Observers and U.N. peacekeeping forces; international terrorism; special legal problems frequently encountered by U.S. firms seeking to do business in or with countries of the region, including investment, boycott, and illicit payment problems; and restrictions on assistance to or conducting business with certain countries in the region.

### Functional Offices

The Office of the Legal Adviser also supports the various functional bureaus of the Department which have crosscutting, worldwide responsibilities for specific program areas. A representative description of the functional offices is set forth below:

Office of Buildings and Acquisitions (L/BA): Provides legal advice and representation in the solicitation, award and administration of Federal acquisition contracts; the acquisition and development of real property abroad; the negotiation and litigation of contract disputes; the defense of bid protests at the General Accounting Office and General Services Board of Contract Appeals; the management of Government property domestically and abroad; the drafting and interpretation of Federal acquisition laws, regulations and policies; the oversight and administration of employee associations at posts abroad; grant and cooperative agreement law, regulations, policies and administration.

Office of Consular Affairs (L/CA): Provides legal advice and representation relating to the performance of consular functions by the Department of State; the provision of consular services to U.S. nationals abroad; the protection of U.S. nationals and their property abroad; rights of consular officers when acting in performance of their duties; entitlement to passports and administration of the passport laws; loss or acquisition of U.S. nationality; prisoner transfer agreements; international children's issues; enforcement and administration of immigration laws vis-a-vis aliens; and compliance by U.S. Iaw enforcement officials with obligations under the Vienna Convention on Consular Relations and other consular agreements.

Office of Diplomatic Law and Litigation (L/DL): Is responsible for the interpretation and application of international agreements and domestic statutes pertaining to U.S. and foreign diplomatic and consular missions and personnel, including the Vienna Convention on Consular Relations, the Vienna Convention on Consular Relations, the Vienna Convention on Consular Relations, the Diplomatic Relations Act and the Foreign Missions Act; legal issues relating to head of state immunity; legal issues relating to immunity of foreign states in the U.S., including interpretation and application of the Foreign Sovereign Immunities Act; legal issues relating to immunity of the U.S. Government and its personnel in litigation abroad, and legal issues relating to the status of international organizations, including the U.N.

Office of Economic and Business-Affairs (L/EB): Provides legal assistance in international negotiations, development of U.S. policy, and the application of U.S. and international law with respect to international economic agreements (including investment, international telecommunications, civil aviation, and trade agreements), imposition of economic sanctions and foreign policy export controls, and other international financial and business issues, such as the extraterritorial application of U.S. laws, foreign debt, antitrust, and the protection of intellectual property.

Office of Educational, Cultural and Public Affairs (L/ECP): Provides legal advice on international, educational and cultural exchanges; protection of stolen cultural property; immunity from judicial seizure of cultural exhibitions, including relevant statutes and agreements, anti-lobbying, publicity and propaganda statutes; and handles certain residual problems of World War II involving the gold pool, enemy assets and looted objects.

Office of Employment Law (L/EMP): Provides legal advice and services to the Director General of the Foreign Service and the Director of Personnel, in addition to those involved in the management of the Department's human resources and labor relations; conducts hearings before E3OC, MSPB, Foreign Service Grievance Board and supports personnel litigation in Federal courts.

Office of Human Rights and Refugees (L/HRR): Provides legal advice and support to the Bureau of Population, Refugees and Migration and the Bureau of Democracy, Human Rights and Labor. Deals with the international implementation of human rights principles and guarantees such as those in the U.N. Charter, the Universal Declaration of Human Rights, the Refugee Convention, other relevant treaties and customary international law; problems concerning legislation on military assistance; assistance from international financial institutions for states consistently violating human rights; domestic and international cases and proposals involving torture, genecide, apartheid, arbitrary detention, freedom of movement, assembly, speech, asylum and other human rights problems.

Office of International Claims and Investment Disputes (L/CID): Provides general legal advice and representation with respect to all aspects of international claims and investment disputes, including claims under international law by the United States and U.S. nationals against forcign governments and vice versa; claims relating to expropriation and other property and investment disputes, denial of justice, wrongful death, personal injury; and

espousal of claims. Negotiates lump sum settlements with foreign governments, and presents claims before dispute settlement bodies, particularly claims before the Iran-United States Claims Tribunal in The Hague and claims against Iraq before the United Nations Compensation Commission in Geneva. Covers issues from inception through settlement, including questions of domestic and international law, standards of compensation, and promotion of international dispute settlement machinery.

office of Law Enforcement and Intelligence (L/LEI): Coordinates international extradition and promotes mutual legal assistance in criminal and other law enforcement matters; negotiates treaties; manages the international extradition caseload; coordinates U.S. and foreign criminal proceedings with foreign policy implications; assists U.S. federal and state law enforcement agencies with investigations in foreign countries; advises on proposed legislative initiatives and international agreements on anti-terrorism, narcotics matters, and other law enforcement issues; coordinates the legal/foreign aspects of illicit payments by U.S. firms; and advises on U.S. intelligence activities.

office of Legislation and General Management (L/LM): Deals with a wide variety of internal management issues including: legislation affecting the management and operations of the Department; appropriations, budget and financial management; administrative law and Department rule-making; the department's annual regulatory agenda; domestic litigation; the Privacy Act; and, the Freedom of Information Act.

Ethics Staff: Advises on the Ethics in Government Act of 1978, the Hatch Act, and other applicable laws, Executive Orders and regulations; and directs the financial disclosure reporting program.

Office of Oceans, International Environmental and Scientific Affairs (L/OES): Handles matters relating to development, negotiation and application of international and domestic law relating to oceans, including law of the sea, maritime boundaries, maritime drug interdiction, navigation and overflight freedoms; environment and conservation, including marine pollution, transboundary air pollution, biodiversity, ozone depletion, biotechnology, desertification, trade and environment, environmental impact assessment, endangered species, liability for environmental damage; scientific and technological affairs, including the Space Station agreements; and polar affairs, including all matters related to the Antarctic Treaty system.

office of Political-Military Affairs (L/PM): Provides legal assistance in matters relating to global military and political-military activities, base rights and status of forces agreements; foreign military claims and suits against U.S. Armed Forces; foreign assistance programs, munitions control; arms control and disarmament; laws of war including Geneva Red Cross Conventions and The Hague Conventions and Rules; chemical and biological weapons and missile proliferation; cooperation, nuclear export activities and nuclear non-proliferation; negotiating and interpreting agreements for peaceful nuclear cooperation and related agreements; representing the executive branch before the Nuclear Regulatory Commission; provides legal advice to United States participation in the International Atomic Energy Agency, the OECE Nuclear Energy Agency and other intemational meetings and activities.

office of Private International Law (L/PIL): Deals with the development and implementation of treaties and other international efforts to unify and harmonize private law, including U.S. participation in multilateral organizations and bilateral negotiations; coordinates the Secretary of State's Advisory Committee on Private International Law and its specialized study groups on inter alia international business transactions, arbitration, trusts, international child abduction and intercountry adoption, international negotiable instruments and the liability of operators of transport terminals.

Office of Treaty Affairs (L/T): Advises on treaty law and procedure, including drafting, negotiating, applying, interpreting and publishing treaties and other international agreements of the U.S.; constitutional questions including the relative powers of the President and the Congress regarding treaties and executive agreements.

Office of United Nations Affairs (L/UNA): Provides legal advice on matters related to the U.S. participation in the U.N., its specialized agencies and other international organizations; space law; human rights; international criminal tribunals; U.N. consideration of specific situations; international peacekeeping; the rights of women; peaceful settlement of international disputes; matters concerning the International Court of Justice and problems arising out of the presence of the U.N. and other international organizations in the United States.

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## **Employment Procedures**

Competition for attorney positions in the Office is intense. Approximately five to ten of the nearly one thousand applicants for permanent employment each year are selected. New hires are drawnfrom third-year law students, judicial clerks and practicing attorneys from other Federal agencies and the private sector. In addition, the office hires ten or more summer interns, as well as up to five to ten externs annually under the work-study program (see below). Outstanding academic performance, analytical ability, writing skills, below). Outstanding academic performance, analytical ability, writing skills, relevant extracurricular activities are important considerations in all selections. International legal training or experience and a knowledge of a foreign language are not mandatory; the Office encourages applications from persons with an interest or experience in general government work.

The Office is committed to fostering a representative work force and encourages women and minorities to apply.

### How To Apply

Applicants must submit a comprehensive resume which includes information about their educational background and scholastic standing, academic and other honors, professional experience, other government or military experience, publications and other relevant attributes such as language skills. A copy of the applicant's law school transcript and a list of three academic or professional references must accompany the application.

Please submit applications to:

Office of the Legal Adviser L/EX Room 5519
U.S. Department of State Washington, D.C. 20520—6310

### Application Deadline

November 1 of 3rd year	As early in the fall as possible but no earlier than 12 months before end of clerkship	Open	November 1 of 2nd year	For spring semester - by November 1 of preceding year
· Third-year students	• Judicial Clerks	• Laterals	• Summer Interns	• Externs (work-study)

Decisions on hiring (other than laterals and spring semester externs) are made in the fall on a schedule consistent with that followed by law firms.

::

For fall semester - by May 31

## **Employment Requirements**

- · Only U.S. citizens are considered for appointment as attorney-advisors.
- All attorneys must be eligible to receive a Top Secret security clearance based on a comprehensive background investigation. The invest gation usually takes 3 to 6 months to complete. Clearances are typically received prior to beginning employment with this Office.
- All employees of Department of State in positions requiring a secret or higher security clearance are subject to random drug tests.
- Attorneys in the Federal Service are required to be admitted to and maintain membership in the bar of a state, the District of Columbia, a U.S. territory or the Commonwealth of Puerto Rico. However, recent law school graduates may be hired prior to being admitted to the bar under a special one-time Law Clerk appointment limited to 14 months.

Upon receipt of satisfactory evidence of bar admission, the appointment will be converted to that of attorney-adviser.

- New attorneys initially receive three-year appointments. At the end of that period, subject to continuing successful performance, appointments are made permanent. Prior full time Federal service as a practicing attorney is counted toward meeting this requirement.
- Third-year students should plan on reporting to duty no later than November 30 following graduation from law school.

### On-Campus Recruiting

Attorneys from the Office visit several major law schools each fall to interview interested students. Students can determine from placement offices if our recruiters will be conducting fall interviews on their campus. If no recruiter visits your campus, your application should be filed directly with the Office of the Legal Adviser.

# Interviews in Washington, D.C.

Because of the large number of applications and limited resources, interviews of prospective full-time candidates in Washington, D.C. are by invitation only. Candidates will not be reimbursed for travel expenses.

## Compensation and Benefits

Attorneys are paid according to the General Schedule for Federal employees. Recent law school graduates with less than one year of relevant legal experience are appointed at GS-11, step one. Candidates with at least one year of experience, such as judicial clerks, will be appointed at GS-12, step one. Non-government laterals are appointed at the grade level (up to GS-15) and step that they would have earned had they joined the Office directly from law school. Salary level for laterals from other Federal agencies are based on their current grade and step.

Staff attorneys who perform exceptionally well are cligible for rapid advancement through GS-15. Employees must be in grade one full year before being promoted to the next grade. Assistant Legal Advisor positions are under the Senior Executive Service and typically are filled competitively from among staff attorneys in the Office.

Attorneys have the option to participate in comprehensive health and life insurance programs, and are covered by the Federal Employees Retircment System (FERS) which consists of a pension program, the Thrift Savings Plan (a 401k-type savings program), and Social Security. Paid annual leave is earned at a rate of 13 days annually for the first 3 years of employment, increasing to 20 days a year through the 15th year, and 26 days a year threafter. In addition, full-time employees earn 13 days of paid sick leave each year and there are 10 paid Federal holidays. In addition, Federal employees are covered by the Family Medical Leave Act of 1993.

### Summer Intern Program

The Office typically selects about 10 highly qualified second-year law students to participate in its Summer Intern Program. This provides a unique opportunity for students interested in public service and foreign affairs to become acquainted with the work of the Office as well as the Department (and to demonstrate their legal skills and acumen). Summer interns are normally given the same level of work as junior attorney advisors. Interns are ordinarily assigned to a primary office and a secondary office to ensure that they receive as broad an exposure as possible to the various facets of government law practice within the time allowed. In addition, interns are encouraged to take advantage of special summer programs and activities sponsored by the Department, the Federal Bar Association, the Department of Justice and others.

The Office's summer intern program is highly competitive. Outstanding academic achievement, relevant international experience and/or extracuricular activity, and demonstrated professional potential are important factors in the selection process. Consideration is given only to U.S. citizens, and participation is limited to continuing students (i.e., those who will be returning for their final year of law school). We recognize that many if not most second

year students endeavor to divide their summers between two employers, to broaden their exposure to the practice of law, however, it has been our experience that a short internship is likely to be unsatisfactory for all concerned. Thus, we expect interns to commit to a minimum of 6 weeks of employment between May and September.

All applicants must submit a complete resume, including a law school transcript, together with a list of at least three professional references. Applications should be submitted as early as possible in the fall and must in any event be received no later than November 1 of the second year. Applications submitted without alaw school transcript will not receive consideration. Successful applicants will be notified around December 15, but their participation is conditional upon eligibility for receipt of a secret-level security clearance. Intems receive appointments as Paralegal Specialists, GS-9, step one. They are covered by Social Security, but are not eligible for health or life insurance and do not carn paid leave.

Students should be aware that all materials produced while working in the Office are considered U.S. Government property and permission to use them for other purposes must be obtained from the proper authority at the Department of State. Students are subject to all requirements relating to retention or use of classified information (whether written or not) obtained in the course of employment.

# Work-Study (Extern) Program

The Office typically accepts up to six highly qualified second- or thirdyear law students as full or part-time "work-study externs" in the fall and spring semesters. Externs receive no pay and the U.S. Government defrays none of their personal expenses. This Program provides an unparalleled opportunity for intensive involvement in a particular area of the Office's work. Externs generally assume the same level of responsibility as summer interns and are expected to work between 20 and 40 hours per week, the specific hours to be agreed

upon prior to employment. Externs are typically assigned to one organization, but may have the opportunity to work in several areas of the Office's practice. The academic requirements of the sponsoring institution are considered in the selection of assignments and projects, but the student should expect to invest a considerable amount of personal time outside the Office to accomplish projects assigned by the institution.

Externs, like interns, must be eligible to receive a secret-level security clearance. Only U.S. citizens are considered for the program. Academic excellence, relevant experience, and professional promise are importantactions in the selection process. Applications for externship during the fall semester must be received no later than the preceding November 1 and for the spring semester no later than the preceding May 31 (since all externs must be continuing students, third year candidates typically are considered only for the fall semester). All applicants must submit a comprehensive resume, law school transcript, and two letters of recommendation from faculty members or officials of the sponsoring institution. Externs will be requested to provide a statement affirming that the institution permits participation in such a program.

Students should be aware that all materials produced while working in the Office are considered U.S. Government property and permission to use them for other purposes must be obtained from the proper authority at the Department of State. Students are subject to all requirements relating to retention or use of classified information (whether written or not) obtained in the course of employment.

### Alternate Dispute Resolution – Developing a Practice

William S. Colwell (703) 451-5005; LeaderAcc@aol.com 17 May 2002

### • OVERVIEW

- Growth in ADR
- Suggestions when developing a practice
- Marketing
  - Question: How do you establish a mediation (M) practice in a saturated market?
  - Everyone talks about the boom in M
    - Should recognize that many people are completing M training
    - Many people trying to find volunteer M slots to complete certification or keep certification
- Why pay you?
  - Establish your credibility
  - Training Certified by State Supreme Court
    - Anybody can call themselves a M
    - Training and co-mediations
    - Justice Center of Atlanta 21-hour course "certified as a M in workplace disputes"
- Volunteer for many cases
  - So many trained initially, but if don't develop skill, capability will fade

- Real cases bring tremendous experience and confidence
  - Many volunteer programs
  - EEOC
  - Northern Virginia Mediation Services
  - Build up numbers and hours
- Take advanced training
  - Mediating Complex & Multi-party Cases
  - Preparing Memoranda and Agreements
  - Facilitation and Group Consensus Building
- How will you expect to get your business?
  - Mostly direct mailing?
  - How do you crack the I66 business corridor?
  - Other ads?
  - Bar Association magazines?
- Develop M Resume w/training (if requested)
  - Focus on your special expertise
  - Law firm called me after seeing Martindale-Hubbell ad, and needed resume quickly
- Networking, Networking
  - Go where you are known

- Agency EEO Office asked me to come to them when established
- Friend in another agency stated they needed arbitrators
- Close friend (commercial pilot) requested resume to take to airlines union
- Trading contacts w/ other Ms
- Where are you known?
- Join ADR organizations learn and make contacts
  - American Arbitration Association
  - ABA Dispute Resolution Section
  - Association for Conflict Resolution
  - Local organizations
- Telephone ads
  - Business phone
  - Cost effectiveness
    - Some say such ads are not cost effective
    - Coverage of 1.2 million people in N.VA for \$150/mo.
    - Ad in phone book for M and arbitration (A)
- Business Cards
  - Distribute at each M, including voluntary cases
    - Some big law firms at M; may call you for more mediations

- National officers of major TV channel at successful mediation
- Friend (who is M for 500M case w/about 10 law firms) requested card
- GSA schedule
  - Continuously open
  - Check to see what other companies or individuals offer, such as rates
- Some Agencies train and then pay mediators
  - Postal Service
  - EEOC many volunteer Ms, but then in stable if EEOC obtains funding for M
- Speak whenever possible
  - Taught at Army-wide EEO Course and JAG advanced course
  - DC Office of Human Rights asked me to teach
  - Fairfax Bar Association has a speakers' bureau
- Dispute Resolution Directory Martindale Hubbell
  - First year Jan 2001
  - About \$400 listing and web site
- Other Web sites?
- Other M panels
  - One panel wanted those w/fed EEO experience
    - Received contract offer to be consultant w/ them

- VA State panels for disabled persons
- Federal Facilitators Group
- Apply to Arbitration panels
  - American Arbitration Association (Commercial Panel [I am on Commercial Panel] and Labor & Employment Panel)
  - ADR Advantage women owned
    - Requested my arbitration resume, and I joined their panel
  - Aircraft Mediation and Arbitration Panel new panel
  - Federal Mediation and Conciliation Service
    - Completing FMCS Arbitrator training substitutes for five published opinions normally required to get on panel
  - U.S. Postal Service and National Association of Letter Carriers
  - Other major organizations and related unions
  - Special rules related to advertising arbitration availability for labor and employment cases
- Don't quit your day job while you develop M or ADR practice
  - My primary income is from arbitration
  - Working to build mediation and arbitration business
  - One M stated he had retired as atty, now very busy as M
    - I have his card and will call him for advice
- Treat people w/ respect and be efficient

- People will come back to you [AAA example]
- Request by Agency to mediated as many cases as possible in set time period
- Increase in ADR overseas
- Always can contact me I will share info and be sounding board

### **Barkey Maj Brett D**

From: Sent:

RONALD MCCLAIN [RONALD.MCCLAIN@usda.gov]

Sunday, April 28, 2002 11:40 AM

To:

Barkeybd@hqmc.usmc.mil

Subject:

USDA OGC info

Brett, here is the basic information you asked for:

The Office of General Counsel at the USDA is broken down into 6 divisions.

- 1) Natural Resources
- 2) Rural development
- 3) International Affairs, Commodity Programs and Food Assistance Programs
- 4) Regulatory and Marketing
- 5) Legislation, Litigation, and General law
- 6) Civil Rights

All of the Divisions hire entry-level attorneys as needed. These are GS-11 positions. Occasionally there will be hiring at the lateral level, usually GS-13 or GS-14, depending on the needs of the department and the level of experience of the attorney position. All attorneys hired at the GS-11 level are promoted on an annual basis to the next GS level each year for their first three years. Therefore, any attorney starting at a GS-11 will be a GS-14 in three years. OGC also has regional offices throughout the United States and hiring is done directly through those regional offices.

Experience is not paramount in the particular subject area at the entry-level positions. Experience in litigation, administrative hearings or adjudications is very helpful and a skill most JAG's can promote in their resumes. Other key skill sets include Contract law, Fiscal law, Environmental law, Business law, and Civilian Personnel law. The divisions in OGC are self explanatory. All vacancies are published in the USAJobs website and should be reviewed periodically during a job search.

Any specific questions relating to vacancy announcements with OGC can be directed via e-mail to Ron McClain at: ronald.mcclain@usda.gov

Ron McClain Deputy Assistant General Counsel Pollution Control Office of the General Counsel U.S. Department of Agriculture

RESUME EXERCISE



dot. Openings

Resume Builder

Online Application

Site General Information

Contacting

Use back on your browser to return to the Job Record

Vacan

www.USAJOBS.opm.gov, the U. S. Government's official source of job information, provides this in no cost.

### Vacancy Announcement

DEPARTMENT OF COMMERCE COMMERCE, OFFICE OF THE SECRETARY

Vacancy Announcement Number: OGC-02-05

**Opening Date:** 05/07/2002

Closing Date: Open until further notice

Position: GENERAL ATTORNEY (INTERNATIONAL)

GS-0905-11/15

\$46,469 - \$92,060 per year Salary:

Promotion Potential: GS-15

Duty Location: 3 vacancies at Washington

Metro Are, DC

WHO MAY APPLY:

Open to all qualified persons.

Relocation expenses will not be paid.

The Office of the General Counsel provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the Executive Officer at 202-482-0490. The decision on granting reasonable accommodation will be on a case-by-case basis.

### MAJOR DUTIES:

The Office of the Chief Counsel for
Import Administration is seeking applications for general attorneys
(international) for the GS-11 through GS-15 levels. (Beginning annual salary
for GS-11 is \$46,469; for GS-12 is \$55,694; for GS-13 is \$66,229; for GS-14 is
\$78,265; and for GS-15 is \$92,060.) The Office of the Chief Counsel for Import
Administration is the principal legal advisor to the Import Administration in
its investigations of unfair pricing and foreign government subsidization of
U.S. imports. The office advises the agency regarding legal issues that arise
during antidumping and countervailing duty administrative proceedings and
defends the agency's decisions before federal courts, NAFTA panels, and WTO
panels. Attorneys in the Office of Chief Counsel for Import Administration
also are involved in negotiations concerning various multilateral and
bilateral agreements involving trade remedies.

### QUALIFICATIONS REQUIRED:

U.S. citizenship is required. Bar membership (any jurisdiction) is required for an appointment for a GS-12 position or above; bar membership is not required for initial appointment to a limited-term GS-11 position, which will be converted to a permanent position upon obtaining bar membership.

Employment offers are conditioned on satisfactory completion of security clearance requirements.

### KNOWLEDGES, SKILLS AND ABILITIES REQUIRED

Applicants should have excellent writing ability and demonstrated interest in international trade law.

### BASIS OF RATING:

As stated elsewhere in this announcement.

### PAY, BENEFITS, AND WORK SCHEDULE:

Selectees will be eligible for health and life insurance, annual and sick leave and will be covered under the Federal Employees Retirement System.

### CONDITIONS OF EMPLOYMENT:

Under Executive Order 11935, only United States citizens and nationals (residents of American Samoa and Swains Island) may compete for civil service jobs. Agencies are permitted to hire noncitizens only in very limited circumstances where there are no qualified citizens available for the position.

### OTHER INFORMATION:

This position is in the excepted service. It is excluded from provisions of the career transition assistance program.

The office offers attorneys the opportunity to do challenging, high-profile work with significant responsibility early in their careers. This may be accomplished over reasonable hours in a congenial environment, with a moderate

amount of international travel. The office is devoted to the professional development of its attorneys through opportunities to attend and participate in conferences regarding international trade issues, and through publication and speaking opportunities.

### HOW TO APPLY:

You may apply by submitting a Resume or an "Optional Application for Federal Employment" (OF-612) for this vacancy announcement. Resumes must include the following information (in addition to specific information requested elsewhere in this vacancy announcement): announcement number, veteran's preference, and social security number. Applications should include all experience, education, training, self-development, awards, commendations, outside activities, or other information relevant to the announced vacancy.

Interested persons should send a cover letter, resume, law school transcript, and a legal writing sample (preferably a short brief or other advocacy piece).

Alternatively, applications may be submitted electronically to OGCExecutiveOffice@doc.gov. Please be sure to reference the vacancy announcement number in the subject line in order to ensure that the application is sent to the correct hiring office.

Incomplete application packages will not be considered.

### For additional information about this position please contact:

EXECUTIVE OFFICER
202-482-0490
Submit your application package to:

OFFICE OF GENERAL COUNSEL U.S. DEPARTMENT OF COMMERCE ROOM 5875
14TH AND PENNSYLVANIA AVE NW WASHINGTON, DC 20230

The Commerce Department does not condone or tolerate discrimination based on race, color, religion, sex, national origin, age, physical or mental disability or sexual orientation.

### TOP

Job Openings | USAJOBS By Email | Resume Builder | Online Application | Site Survey | General Information

### **IVANA JOB**

2004 Main Street Alexandria, Virginia 22308 703-555-1212 ivanajob@mindspring.com

Executive Officer
Office of General Counsel
U.S. Department of Commerce
Room 5875
14<sup>th</sup> and Pennsylvannia Avenue, NW
Washington, D.C. 20230

Ref: <u>Vacancy Announcment GS-0905-11/15</u>, <u>General Attorney</u> International)

Dear Sir or Madam,

#2.

#5

I am writing to apply for a position as General Attorney (International).

Having spent six years with the international trade section of Dewey Cheatem & How, I have extensive experience in international trade matters, in particular investigating and litigating issues of unfair pricing and foreign government subsidies. I served as lead counsel in ten cases before U.S. District Court, NAFTA panels, or WTO panels. As an intern at the Office of the U.S. Trade Representative, I participated in several negotiations seeking bilateral or multilateral trade agreements.

#4

I am equally comfortable and experienced advocating a position orally in court, in negotiations, or in written pleadings. I also served as an Assistant Editor, International Trade Journal, while in law school, and authored an article, "Antidumping and Countervailing Duty Update" for that journal. I have also completed a master of laws in international law at George Washingtion University-focusing on international trade matters.

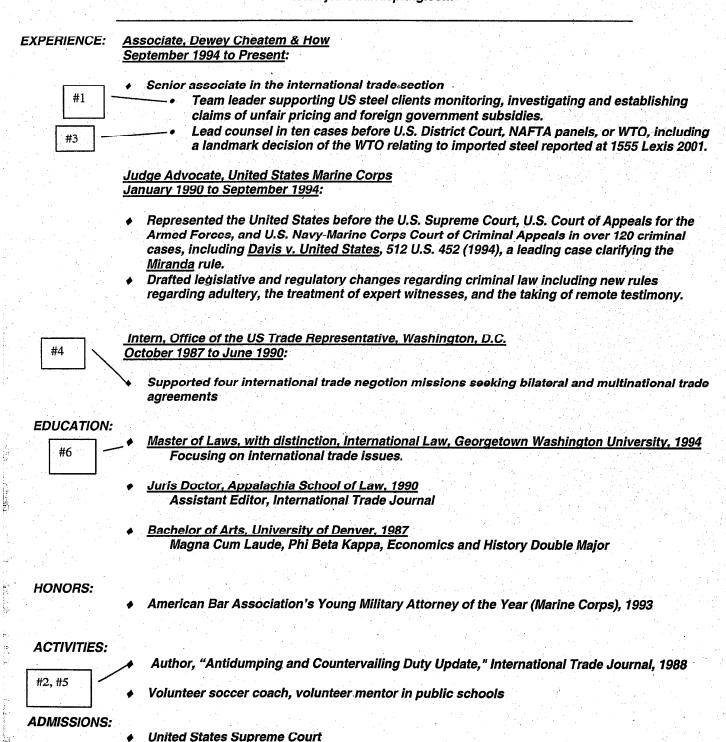
I would look forward to discussing further how I might contribute to your office.

Sincerely.

IVANA JOB

### **IVANA JOB**

2004 Main Street Alexandria, Virginia 22308 703-555-1212 ivanajob@mindspring.com



Virginia

District of Columbia

United States Court of Appeals for the Armed Forces

### JOSEPH J. ARONICA

9331 Maybrook Court Alexandria, Virginia 22309

Home: (703) 780-5380 Office: (202) 778-3040

### **Professional History**

PORTER WRIGHT MORRIS & ARTHUR, LLP Washington, D.C.

October 2001-Present

Mr. Aronica is a partner in the Litigation Department and a member of The Investigations, Enforcement and White Collar Criminal Defense Group and the Healthcare Group. He has extensive experience in the areas of complex criminal, civil and administrative litigation, internal corporate investigations and audits, compliance matters, and corporate advice on a broad range of matters including compliance and ethics programs, money laundering and Foreign Corrupt Practices Act issues. Mr. Aronica has defended corporate executives, government officials, lawyers and others in a broad range of white collar cases including securities and commodities fraud, bank fraud, bankruptcy fraud, procurement fraud, tax; customs and export violations; and bribery, and corporations and individuals in civil trials. Mr. Aronica has extensive jury trial experience and is a frequent lecturer on white collar crime, internal investigations, banking crimes, money laundering and Foreign Corrupt Practices Act issues.

**DECHERT** 

Washington, D.C.

November 1995-October 2001

Litigation practice concentrating on complex civil, criminal and administrative matters, internal corporate investigations and audits, compliance matters and corporate advice.

MUDGE ROSE GUTHRIE ALEXANDER & FERDON LLP

Washington, D.C.

June 1994-November 1995

Litigation practice concentrating on complex civil, criminal and administrative matters, internal corporate investigations and audits, compliance matters and corporate advice.

ASSISTANT UNITED STATES ATTORNEY

June 1979-June 1994

Eastern District of Virginia, Alexandria, Virginia

January 1987-June 1994

Illwind Defense Procurement Fraud Investigation Attorney in charge and lead trial counsel

The investigation, praised by Attorney General Reno as "one of the most successful undertaken by the Department of Justice against white collar crime," resulted in 65 convictions of major defense contractors, corporate executives, consultants and high level government officials, including a former Assistant Secretary of the Navy and a former Deputy Assistant Secretary of the Air Force and monetary recoveries in excess of \$400 million.

As the Government's lead attorney, Mr. Aronica developed the investigative and prosecutive strategy; directed the investigation and prosecutions and supervised the work of numerous attorneys and agents; supervised the application for and monitoring of numerous court ordered wiretaps in several federal districts; argued before numerous federal district courts and two courts of appeals successfully seeking the sealing of 44 search warrant documents; negotiated plea agreements including the criminal and civil aspects; served as lead counsel in each of the eight jury trials of high corporate and government officials. The investigation was extensively covered in the national news media and in a book entitled When the Pentagon Was For Sale, by Andy Pasztor.

Was designated Senior Litigation Counsel in February 1987, conferred by the Attorney General for "having been found exceptionally qualified by demonstrating skill in the art of advocacy over an extended period of time." Received the Attorney General's Distinguished Service Award, February 1991

### Chief, Special Prosecutions

June 1986-June 1988

Prosecuted complex, high visibility cases with an emphasis on procurement fraud, corruption, organized crime and national security matters.

### Chief, Criminal Division

November 1981-June 1986

Prosecuted complex, high visibility cases including fraud, bribery, political corruption, health care fraud, espionage, arms and technology export violations, terrorism, tax offenses, consumer fraud, securities fraud, and murder.

Supervised the work of approximately forty attorneys in Alexandria, Richmond and Norfolk.

Many of the cases personally handled were extensively covered by the national news media including:

- An espionage prosecution of the longest operating spy in American history, who, for thirty years as a CIA employee, smuggled classified information to the communist Chinese Politburo.
- A health care fraud prosecution in which a physician hired by major pharmaceutical companies to test pain relievers, falsified data thereby causing the companies to submit false reports to the FDA for use in evaluating the drugs' safety.
- A significant technology export prosecution involving the diversion to the Soviet Union of the manufacturing capability for the micro-circuitry used in guidance systems for cruise missiles and ICBMS.
- An export prosecution involving a conspiracy to ship a diesel engine assembly line to the Soviet Union's Kama River Truck Complex -- the Soviet truck manufacturing facility responsible for the production of heavy-wheeled vehicles used in the invasion of Afghanistan.

• The prosecution of a Washington Redskins player for his involvement in an international conspiracy to distribute cocaine.

Mr. Aronica was a frequent lecturer at numerous government and bar association conferences.

LABOR ATTORNEY, Shawe & Rosenthal Sun Life Building, Charles Center, Baltimore, Maryland August 1977 - June 1979

Represented employers in all phases of labor relations.

TRIAL ATTORNEY, Government Regulations and Labor Section, Criminal Division, Department of Justice, Washington, D.C.

October 1973 - July 1977

CAPTAIN, The Judge Advocate General's Corps United States Army

August 1969-August 1973

### Admitted to Practice

New York, Virginia, Maryland, District of Columbia. Has argued before the Courts of Appeals for the Fourth, Eighth, Ninth and District of Columbia Circuits.

### Education

Mr. Aronica is an honors graduate of the University of Richmond (B.A., 1966; LL.B., 1969) where he served on the University of Richmond Law Review and was elected to the McNeill Law Society, and is a graduate of the Georgetown University Law Center (LL.M, 1973).

### Military Service

After Mr. Aronica served on active duty in the U.S. Army, he remained in the Army Reserves and recently retired with the rank of Colonel.

### JOSEPH J. ARONICA

### PORTER WRIGHT MORRIS & ARTHUR, LLP

1919 Pennsylvania Ave., N.W. Washington, D.C. 20006 jaronica@porterwright.com Telephone: (202) 778-3040

Facsimile: (202) 778-3063

Mr. Aronica is a partner in the Litigation Department of Porter Wright Morris & Arthur. He has extensive experience in the areas of complex criminal, civil, and administrative litigation; internal corporate investigations and audits; compliance matters; and corporate advice on a broad range of matters including compliance and ethics programs, money laundering and Foreign Corrupt Practices Act issues. Mr. Aronica has defended corporate executives, government officials, lawyers, and others in a broad range of white-collar cases, including securities and commodities fraud, bank fraud, procurement fraud, tax, export violations, and corporations and individuals in civil trials. Mr. Aronica has extensive jury trial experience representing individuals and corporations and is a frequent lecturer on white collar crime, internal investigations, banking crimes, money laundering and Foreign Corrupt Practices Act issues. Mr. Aronica was formerly a partner in the Litigation Department of the Dechert Law Firm. Before entering private practice with Mudge Rose Guthrie Alexander & Ferdon, Mr. Aronica served as Senior Litigation Counsel, Department of Justice, and as Chief of the Criminal Division and Chief of the Special Prosecutions Group of the United States Attorneys Office for the Eastern District of Virginia. In 1991, Mr. Aronica received the Attorney General's Distinguished Service Award for his role as lead counsel in the "Ill Wind" nationwide defense procurement fraud investigation. Attorneys General Thornburgh and Reno praised "Ill Wind" as one of the most successful prosecutions ever undertaken by the Department of Justice and as a prototype for future white collar crime investigations. Mr. Aronica has also prosecuted other high visibility complex cases, including espionage, major arms and technology export violations, securities fraud, tax offenses, murder, health care fraud, and banking cases. He has also handled cases involving the Classified Information Procedures Act and the extensive use of wiretaps. Mr. Aronica has authored and co-authored several articles, including: "Silicon Valley East - The Eastern District of Virginia: A Seurat Painting Approach to the PSLRA and Other Issues in Securities Litigation," published in <u>Securities News</u>, Volume 11, No. 1, Winter 2001 (a publication of the Securities Litigation Committee of the ABA's Litigation Section); "Globalization of Law Enforcement Efforts," published in the Journal of Money Laundering Control, London, United Kingdom, June 2001; and "Money Laundering: Dangers for Community Bankers," published in Community Banker (published by America's Community Bankers), October, 2001. He graduated with honors from the University of Richmond (B.A., 1966; LL.B., 1969), where he served on the University of Richmond Law Review and was elected to the McNeill Law Society, and from Georgetown University Law Center (LL.M., 1973). Mr. Aronica also holds the rank of colonel in the United States Army (Ret.).

### Brett D. Barkey

Major Brett Barkey, USMCR, has been recalled to active duty to serve as an Operational Law Attorney in the International and Operational Law Branch, Judge Advocate Division, Headquarters, U.S. Marine Corps. Major Barkey has been focusing on homeland security issues.

In civilian life, Major Barkey serves as an Senior Litigation Counsel in the General Counsel's Office, U.S. Department of the Treasury, where he specializes in national security matters, usually involving the President's constitutional and statutory emergency economic powers.

Prior to joining the Treasury Department, Major Barkey served on active duty in the U.S. Marine Corps from 1990 to 1999, including tours as a staff judge advocate to a Marine Expeditionary Unit, appellate government counsel, and a budget officer.

From 1987 to 1990, Major Barkey served as a Deputy District Attorney prosecuting felony and misdemeanor cases in Colorado Springs, Colorado. From 1986 to 1987, Major Barkey was in private practice in Denver, Colorado.

Major Barkey received his BA from the University of Denver (1983), and JD (1986) and LLM (International Law, with distinction, 2000) from the Georgetown University Law Center. He is also a graduate of the U.S. Naval War College (with distinction, 1994).

### Roger H. Caffier - Chief Counsel, Pennsylvania Department of Labor and Industry

Roger H. Caffier was appointed as Chief Counsel to the Pennsylvania Department of Labor and Industry in July 1998 during the Ridge administration. The Office of Chief Counsel is one of the largest legal offices within the Office of General Counsel (OGC) and employs almost 140 attorneys and support staff in seven offices throughout the Commonwealth of Pennsylvania. Roger is also Chair of OGC's Technology Committee and is assisting with the design and implementation of the OGC LawNet legal intranet. Roger co-chairs the OGC E-commerce Sub-committee of the Contracts Practice Group. He is also a member of both the OGC Hiring Committee and OGC Way Development Committee. He served as the Commonwealth's delegate to the Pennsylvania Bar Association's Electronic Commerce Committee.

Prior to being appointed as Chief Counsel, Roger served as Senior Prosecutor-in-Charge to the Prosecution Division of the Bureau of Professional and Occupational Affairs (BPOA) from 1995-1998 and Advisory Counsel for the Bureau of Enforcement and Investigation of the Department of State from 1996-1998. Previously, he served as Deputy Chief Prosecutor for BPOA from 1992-1995 and as a Senior Prosecutor for the Pennsylvania State Board of Medicine from 1987-1992. Roger also served as Advisory Counsel to various health and business professional licensing boards with BPOA from 1985-1987.

Roger has lectured on various topics relating to law office technology, e-commerce, workers' compensation, attorneys fees, workforce development, the Uniform Building Code, appellate practice, law enforcement, and professional licensing laws. He received his Bachelor of Science in 1981 and his Juris Doctor in 1984, both from the University of Toledo.

### WILLIAM S. COLWELL

William (Bill) S. Colwell (Col, USAF, Ret.), joined the Labor and Employment Law Division, Office of The Judge Advocate General, as Chief, Civilian Personnel Law Team, on 16 Aug 99. Prior to this, he was Of Counsel to the law firm Taylor, Messick & Tosti, of Fairfax, VA, where he worked on business, commercial litigation, and employment issues. In March 1998, Bill received an "AV" rating for employment law and litigation from Martindale Hubbell -- which is their highest rating for professional skills and ethics. Bill is also a Neutral (Arbitrator) for the American Arbitration Association and certified as a mediator by the Virginia Supreme Court.

Previously, Bill completed 25 years of Air Force service, which included several "cases of a lifetime." As a Military Judge, Bill presided over the joint pretrial hearing of five officers charged in the "friendly fire" shootdown in Iraq of two Black Hawk helicopters by two Air Force F-15 fighters, killing 26 people. He conducted an unprecedented joint hearing of five defendants — including 10 defense lawyers and four prosecutors. He was lead legal advisor for the Accident Investigation Board investigating the April 1996 crash in Croatia of the USAF aircraft carrying Secretary of Commerce Ronald Brown and 34 others. President Clinton called the report "brutally honest." He also served as Chief Legal Advisor to the IG/TJAG team investigating the 1996 terrorist bombing of the Khobar Towers housing complex in Dhahran, Saudi Arabia, which killed 19 airmen and injured over 400 airmen and 300 Saudis. He received the Legion of Merit for the above service.

From 1995 until 1997, Bill served as the lead attorney in creating the new Secretary of the Air Force Inspector General team that investigates allegations against the Air Force's top leadership, both general officers and senior executive level civilians, and other sensitive cases.

As managing attorney of a 14-attorney federal trial and appellate litigation office defending employment related cases, and as a trial attorney, Bill won every trial, appellate court argument, and argument on motion in which he participated. He also served as Staff Judge Advocate at Falcon AFB, CO, a space operations center overseeing all operational satellite systems, and local counsel for the Strategic Defense Initiative Office ("Star Wars") National Test Site.

Prior to his legal training, Bill served in Air Force fighter operations as an F-4 Phantom aircrew member in Korea and Germany.

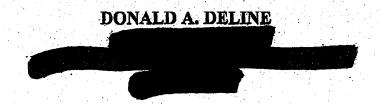
Bill graduated from the USAF Academy, Troy State Univ. (M.S.), and McGeorge School of Law, University of the Pacific. Bill is a member of the following Bars: California, Colorado, and Virginia.

Bill was one of the founders, and twice President of Judge Advocates Association (JAA) American Inn of Court, for which he was presented the 1995 JAA President's Award. He is currently President of the JAA. He recently screed as President of the Prettyman-Leventhal American Inn of Court. Bill also has served as a Toastmasters Club President and Area Governor. He is also a member of the Federal Bar Association.

Bill and Ginny have three sons: Ryan, Jack, and Dan.

John. C. Cruden is the Deputy Assistant Attorney General, Environment and Natural Resources Division (ENRD), US Department of Justice. In that capacity he is responsible for supervising all of the environmental actions brought on behalf of, or in defense of, the various agencies of the United States. ENRD consists of over 400 attorneys responsible for over 10,000 cases. Prior to assuming this position in 1995, Mr Cruden was the Chief, Environmental Enforcement Section.

Mr. Cruden was also in the United States Army from 1968 to 1991 where he served in airborne, ranger, and special forces units before becoming a military attorney. His military assignments included General Counsel, Defense Nuclear Agency; Staff Judge Advocate, 3d Armored Division; and Chief Legislative Counsel, Department of the Army. He is a graduate of the United States Military Academy, University of Santa Clara, and University of Virginia.



Born:

May 29, 1943 in Minneapolis Minnesota

Married:

Louise Michele "Mickie" Gardner of Senatobia, Mississippi

Children:

Daughter, Loraine Michele Deline

Education:

University of Mississippi, Bachelor of Business Administration 1965

University of Mississippi, Masters of Accountancy 1968

University of Mississippi, Juris Doctor 1968

The Judge Advocate General's School, Graduate Program 1975

National War College 1988

Military

25 Years of active duty with the Army Judge Advocate General's Corps.

Service: Served as: Legislative Counsel to the Secretary of Defense Legislative Counsel to the Secretary of Army Staff Judge Advocate of V Corps in Europe

Staff Judge Advocate of the 101st Airborne Division Staff Judge Advocate of the 9th Infantry Division Created the Army's first office designed to combat procurement fraud.

Tried over 200 criminal cases as either prosecutor or defense attorney.

Employment: Retired from the Army August 1993

Minority Counsel for the Senate Armed Services Committee August 1993 to

January 1994.

Chief Counsel for the Senate Armed Services Committee from January 1994 to

November 1996.

Director of Government Affairs for Halliburton Company, November 1996 to

Co-owner of the Chez Amis Bed and Breakfast in Annapolis Maryland.

Hobbies:

Sailing, golf and snow skiing.

### Edward J. Duffy, Jr.

Associate

Ritzert & Leyton, P.C.

4084 University Drive, Suite 100

Fairfax, Virginia 22030

(Ind. City; Seat of Fairfax ) Co.

Telephone: 703-934-2660

Facsimile: 703-934-9840

Send Email

**Practice Areas:** Immigration and Naturalization; Civil Appeals; Criminal; Civil Trial; Military.

Admitted: 1990, Pennsylvania; 1995, U.S. Court of Appeals, Fifth and Ninth Circuits; 1997, U.S. Court of Appeals, Fourth Circuit and U.S. Court of Appeals, District of Columbia; 1998, U.S. Court of Appeals, First and Tenth Circuits; 2001, Virginia and U.S. District Court, Eastern District of Virginia

Law School: Temple University, J.D., cum laude, 1989.

College: Pennsylvania State University, B.S., 1980.

Member: Fairfax and American (Litigation Section) Bar Associations; Virginia State Bar; American Immigration Lawyers Association.

**Biography:** Recipient, American Jurisprudence Award. Federal American Inn of Court, 1994-1996.

Military: USMCR Lieutenant Colonel, 1980—.

Reported Cases: Bojorques-Villanueva v. INS,194 F.3D 14 (1st. Cir. 1999); U.S. v. Hall, 52 M.J. 806 (N.M.Ct. Crim. App., 2000); Innab v. Reno, 204 F. 3d 1318 (11th Cir. 2000); Wallace v. Reno, 194 F.3d 279 (1st Cir. 1999); DeSousa v. Reno, 190 F.3d 175 (3d Cir. 1999); Doan v. INS, 160 F.3d 508 (9thCir. 1998); Goncalves v. Reno, 144 F.3d 110 (1st Cir. 1998); Valderrama-Fonseca v. INS, 116 F. 3d 853 (9th Cir. 1997); Opie v. INS, 66 F.3d 737 (5th Cir. 1995); Womack v. U.S., 34 Fed. Cl. 755 (Fed. Cl. 1996) (of counsel); Carranza v. INS, 89 F. Supp. 2d 91 (D. Mass. 2000); Yang v. Reno, 925 F. Supp. 320 (M.D. Pa. 1996).

Born: Philadelphia, Pennsylvania, June 20, 1958.

ISLN: 907730581

### JOHN LODGE EULER

John Euler was born in Prospect Park, Pennsylvania in 1944 and has lived in Bethesda, Maryland since 1955. He earned a Bachelor of Arts degree in political science from Dickinson College in Carlisle, Pennsylvania in 1966. He attended Georgetown Law Center in Washington and received his Juris Doctorate in 1969. He then entered the United States Marine Corps, was commissioned a Second Lieutenant and served for five years including a tour of duty in Vietnam. Upon release from active duty, he engaged in private practice until he entered the Department of Justice as a trial lawyer in 1978 with the Torts Branch of the Civil Division.

In December of 1980, he was promoted to Assistant Director of the Torts Branch. There he primarily was responsible for the defense of government officials personally sued for actions taken in the course of their duties (BIVENS litigation), and is a recognized expert in the field of constitutional and personal liability tort law.

In February of 1986, he was promoted to Deputy Director and into the Senior Executive Service as Head of the newly established Office of Policy Research and Analysis. There he was responsible for developing and supporting initiatives concerning tort litigation and legislation. He also continued to work in the area of defense of personal liability tort suits. In July of 1988, he assumed the direction of the Office of Vaccine Litigation where he supervises the litigation of cases arising under the National Childhood Vaccine

Injury Compensation Act. In 1993, he served on the National Health Care Task Force. He remains active in the arena of the defense of personal liability lawsuits, frequently teaches on the subject, and is on the Representation Committee of the Civil Division. He also supervises implementation of the Radiation Exposure Compensation Act and litigation of Panama Canal vessel cases which remain the responsibility of the United States.

In December of 1999, he retired from the Marine Corps Reserve as a Colonel. His final assignment was Senior Reserve Judge Advocate of the Marine Corps. Before that, he commanded the Marine Corps Law of War Detachment.

Mr. Euler has also been active in the Senior Executives Association (SEA). He is a past President of the Department of Justice Chapter and was elected to the Board of Directors in 1995. In November 1997, he was elected Chair of the Board and was reelected to that position in 1999 and 2001. He is also Chair of the Board of Bethesda United Methodist Church. In November, 2001, he was selected as "President Elect" of the U.S. Court of Federal Claims Bar Association.

### JOHN C. GREENHAUGH

John Greenhaugh is currently the Senior Deputy Corporation Counsel for Torts & Equity in the Office of the Corporation Counsel for the District of Columbia. The two divisions within Torts & Equity defend the District of Columbia in approximately 85% of the civil lawsuits brought against the District, its agencies and employees sued in their official capacity. He is a member of the bars of North Carolina and the District of Columbia.

John C. Greenhaugh was born July 7, 1948 in Philadelphia, PA. He received a Bachelor of Arts in political science at Wake Forest University in Winston-Salem, NC in 1970, having attended on a four year ROTC scholarship. In 1973 he received a Juris Doctor degree from the University of North Carolina School of Law at Chapel hill, NC and entered the US Army on October 15, 1973. He received a Masters in Business Administration from Mount St. Mary's College in Emmittsburg, MD in 1980. He is a graduate of the US Army War College, the Defense Strategy course, the Army Judge Advocate basic and graduate courses, and the US Army Command and General Staff College. He was promoted to Colonel in July 1991 and retired from active duty August 31, 2000.

His military assignments include: serving as a legal assistance officer and defense counsel, as well as representing soldiers in state court under the expanded legal assistance program, at Fort Monmouth, NJ, and serving as the Chief of Criminal Law at Fort Monmouth, at III Corps, Fort Hood, TX, and at V Corps, Frankfurt, Germany. He has also served as the Deputy Staff Judge Advocate at the Southern European Task force (SETAF) in Vicenza, Italy. He has been a Staff Judge Advocate on three occasions, returning to Fort Monmouth for his first SJA assignment, and later serving as the SJA for the 21<sup>st</sup> Theatre Army Area Command headquartered in Kaiserslautern, Germany with ten offices located in three European countries, as well as serving as the SJA at the US Army Reserve Command in Atlanta, Georgia.

He was also the last commander of the US Army Claims Service, Europe before the command became a division within the Office of the Judge Advocate in USAREUR. His last two military assignments were serving as the Executive Officer and Special Counsel to the Army General Counsel, and then serving as the Chief, Criminal Law Division, in the Office of the Judge Advocate General, HQDA. His military decorations include the Legion of Merit w/ 1 OLC, Meritorious Service Medal w/ 6 OLC, the Army Commendation Medal and the Army Achievement Medal w/ 3 OLC.

John is married to the former Janet W. Distefano of New York City. They have one son, Joshua, who is in third grade.

### RICHARD L. HERMANN

President, Federal Reports Inc., the leading provider of legal career information in the US and the parent company of Nationwide Career Counseling for Attorneys and Sutherland Hermann Associates, a legal outplacement and a disability insurance industry vocational rehabilitation consulting firm specializing in attorneys.

Editor, Attorney Jobs Online and Legal Career Center, a joint project of Federal Reports Inc. and West Group.

Author of 30+ books and other publications on legal career management

### Volunteer and Pro Bono Activities:

Co-host of Law and Disability (radio program) American Red Cross Swim-a-Cross

### Education:

JD, Cornell Law School MA, New School for Social Research BA, Yale University

### **Prior Employment**

Senior Legal Consultant to numerous U.S. Government Departments and Agencies (national security law and personnel & employment law)
Attorney, US Departments of Energy and Defense, and General Accounting Office Legal Commentator, National Public Radio
US Army Judge Advocate General's Corps
US Army Atomic Demolition Munitions Team

Bar Admissions: New York & District of Columbia

### Arthur H. Hildebrandt

Associate General Counsel (Management) Office of the General Counsel, Navy

After graduating from Georgetown University in 1968 with an B.A. in economics, Mr. Hildebrandt received a commission in the U.S. Naval Reserves. He served on an amphibious ship, USS DeSoto County (LST-1171), and in Vietnam as the Senior Advisor to Vietnamese River Patrol Group 53.

In 1974, he received his J.D. degree from The Cleveland State University, John Marshall College of Law.

Since graduating from law school, Mr. Hildebrandt has worked for the Office of General Counsel, Navy. He began his career in the Naval Supply Systems Command, first in Headquarters and then at the Washington, D.C., Naval Regional Contracting Office. In 1976, he transferred to the Naval Air Systems Command. Mr. Hildebrandt provided legal advice on a variety of programs including the F/A 18-Strike Fighter and Harpoon missile programs.

In 1984, he took the position of Counsel, Joint Cruise Missiles Program. In this capacity, he provided legal advice concerning the development, testing and production of the very successful Tomahawk Cruise Missile Weapons System.

He returned to the Naval Air Systems Command in 1987, as Deputy Counsel. Besides the responsibility of supervising an office of over 50 attorneys, he advised on numerous major weapons systems selection panels. He was appointed to the Senior Executive Service (SES) in January 1988.

In 1992, Mr. Hildebrandt was appointed Associate General Counsel (Litigation) / Director, Navy Litigation Office. The Navy Litigation Office is responsible for defending the Navy's interest in the most significant cases involving government contract, civilian personnel, and environmental law. In 1996, he was awarded the SES Presidential Rank Award, Meritorious Executive.

He assumed the duties of his current position, Associate General Counsel (Management) on 30 October 2000. Within the OGC community, he is responsible administrative policy and procedures, attorney personnel matters, organizational issues, strategic planning, and communication.

### **NEWTON KLEMENTS**

### Deputy Chief Counsel (Operations) Transportation Security Administration U.S. Department of Transportion

Mr. Klements served with the U.S. Army Corps of Engineers in various capacities for more than 30 years. His last assignment there was as Deputy Chief Counsel for the Corps at its Washington, D.C. headquarters. In March 2002, Mr. Klements joined the Transportation Security Administration as Deputy Chief Counsel (Operations).

Mr. Klements is a graduate of Boston University (BA); Fordham University Law School (JD); and New York University Law School (LLM in Corporation Law). He is admitted to the bar in New York.

### Ronald M. McNeil

Mr. McNeil is currently the Deputy Chief for Litigation, Narcotic and Dangerous Drug Section, Criminal Division, U.S. Department of Justice, Washington, D.C. As such, he supervises approximately 25 prosecutors and 6 support staff members, located in D.C. and Puerto Rico approximately 25 prosecutors and 6 support staff members, located in D.C. and Puerto Rico offices. He is responsible for the professional, efficient and effective investigation, and prosecution of the Section's nationwide caseload. Mr. McNeil joined NDDS approximately 10 years ago, after retiring from the Marine Corps.

After joining NDDS, he prosecuted major drug trafficking and money laundering cases in federal courts around the country for seven years. For the next two years, he worked in the Section's Death Penalty Unit, where he prepared legal memorandums for the Attorney General regarding whether or not the death penalty should be authorized in federal drug trafficking homicide cases throughout the country. In that position, he also advised and assisted federal prosecutors concerning various death penalty litigation issues. In 1998, he assisted in the prosecution of a death penalty trial in Birmingham, Alabama.

Throughout his tenure with NDDS, Mr. McNeil has also addressed national and international drug policy issues. As a member of the U.S. delegation to Vienna, Austria, he represented the Department of Justice at the U.N.'s Commission on Narcotic Drugs, a preparatory meeting for the U.N.'s General Assembly's Special Session on Narcotics held in June preparatory meeting for the U.N.'s General Assembly's Special Session on Narcotics held in June 1998. Also, as one of three project editors, Mr. McNeil participated in the production of a 38 chapter Department of Justice book entitled "Federal Narcotics Prosecutions."

Mr McNeil received his commission in the Marine Corps in 1969, and he was an artillery officer for three years, after which he attended law school. From 1976-1990, he was a judge advocate in the Marine Corps, working almost exclusively in the field of criminal law. During this time period, he prosecuted or supervised the prosecution of over one hundred and fifty trials. Mr. McNeil also was a defense attorney in over one hundred and fifty trials. In addition, he taught evidence, criminal law, and trial advocacy for three years to new Navy and Marine Corps attorneys and judges at the Naval Justice School in Newport, R.I. During his last two years on active duty, Mr. McNeil was the principal legal advisor for the Criminal Investigations Division, Naval Criminal Investigative Service, Washington, D.C.

Education: B.A., State University of New York, 1969; M.B.A., Boston College, 1984; J.D., Albany Law School of Union University, 1975. Bar Admission: New York.

### JOHN L. MCPHERSON ASSISTANT GENERAL COUNSEL OFFICE OF GENERAL COUNSEL CENTRAL INTELLIGENCE AGENCY

John graduated from the U.S. Naval Academy in 1983 and served in the Submarine Force, assigned to the USS HOUSTON which was homeported in San Diego, CA, until he left the Navy in 1988 to attend law school.

After receiving his J.D. from the Catholic University of America in 1991, John joined the Office of General Counsel at the Central Intelligence Agency.

At OGC, he has served in the Administrative Law Division and the Litigation Division. He currently is assigned to the Operations Division, where he provides legal advice regarding the conduct of intelligence operations overseas.

John is a member of OGC's recruitment committee.

### BIOGRAPHY

### TAMARA L. MILLER

Tamara L. Miller is a Deputy Chief in the Civil Rights Division, Criminal Section of the Department of Justice. In this capacity, Ms. Miller manages and supervises attorneys responsible for prosecuting cases of national significance involving violations of federal criminal civil rights statutes, including hate crimes, police brutality, and involuntary servitude. In her previous position, Ms. Miller was a Trial Attorney in the Criminal Section. She also is a Lieutenant Colonel in the Maryland Air National Guard, assigned to the 175th Wing in Baltimore as a Deputy Staff Judge Advocate.

Prior to joining the Department of Justice, Ms. Miller spent two years as a senior litigation associate with the law firm of Robins, Kaplan, Miller & Ciresi in Washington, D.C. specializing in employment law and general civil litigation. Before that, Ms. Miller spent nine years as a judge advocate on active duty in the Air Force. In her last assignment, Ms. Miller served as a Trial Attorney in the Air Force General Litigation Division in Rosslyn, Virginia. There she represented the Air Force in civil litigation involving labor-management relations, equal employment opportunity, and civilian personnel law before U.S. federal district and circuit courts. In previous military assignments, Ms. Miller served as Chief of Military Justice at Nellis Air Force Base, Nevada where she prosecuted local crimes; Circuit Trial Counsel for the Fifth Judicial Circuit at Travis Air Force Base, California where she prosecuted the most serious courts-martial and officer discharge cases in a six state region; and, she was the Air Force Medical Law Consultant at the Wiesbaden Medical Center in Germany where, as inhouse counsel and the sole medico-legal advisor for 63 Air Force medical facilities and legal offices throughout Western Europe, she handled all medical malpractice claims arising in Europe against the Air Force.

Ms. Miller was born in Seoul, Korea and is a naturalized citizen of the United States. She attended the University of Notre Dame in South Bend, Indiana as a four year Air Force Reserve Officer Training Corps (AFROTC) scholarship recipient, and became the first female Cadet Corps Commander at Notre Dame. Ms. Miller received a Bachelor of Arts degree in Government and International Studies with honors from Notre Dame in 1982, and a Juris Doctorate degree

in 1985 from the University of Michigan Law School. She is a member of the Illinois Bar and the District of Columbia Bar. She is married to Peter R. Masciola and they have a daughter.

### RICHARD PARKER

307 Yoakum Parkway, Suite 1026 Alexandria, Virginia 22304 Office: (703) 299-3700 Telefax: (703) 299-3983

### EXPERIENCE

Deputy Chief, Civil Division
Assistant United States Attorney
Office of the U.S. Attorney,
Eastern District of Virginia

May 1989 to present

Directly supervise a staff of twenty-two civil litigators and support personnel engaged in active affirmative and defensive federal civil litigation. Oversee defensive civil litigation throughout the district; directly mange supervisors in two remotely located branch offices. Personally litigate employment discrimination, tort, commercial, and Constitutional tort cases before the United States District Court for the Eastern District of Virginia and the Court of Appeals for the Fourth Circuit.

As a nonsupervisory Assistant United States Attorney I represented the United States in numerous personally-handled tort, employment discrimination, contract, Constitutional tort, bankruptcy, and other cases at jury and bench trials in federal district court.

Trial Attorney
United States Department of Justice
Civil Division, Torts Branch
Office of Vaccine Litigation

July 1988 to May 1989

Represented the United States in more than fifty personally-handled childhood vaccine injury cases involving all aspects of civil litigation with emphasis on medico/legal issues.

Office of Policy, Research and Analysis, Torts Branch

Nov. 1987 to July 1988

Drafted legislation, prepared Congressional testimony and policy analysis, and reviewed legislative proposals affecting the United States in tort litigation.

Appellate Government Counsel
United States Army Legal Services Agency
Government Appellate Division

Oct. 1986 to Nov. 1987

Represented the United States in criminal appeals before military appellate courts. Provided advice and assistance world-wide to military prosecutors facing novel/complex litigation issues.

Describe Counsel In-Charge
United States Army Trial Describe Service
Fulda, Germany Branch Office

Sept. 1984 to Oct. 1986

Managed a criminal litigation team and personally represented clients at over eighty bench and jury trials. Defended murder, narcotics, felony assault, and criminal fraud actions.

WILLIAM KENT SUTER
CLERK OF COURT
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D.C. 20543
PHONE: (202) 479-3014 FAX: (202) 479-2959

### Education

B.A., Trinity University, San Antonio, Texas
LL.B., Tulane University School of Law, New Orleans, Louisiana
(Order of the Coif; Tulane Law Review Board of Editors)
Graduate Law Program, The Judge Advocate General's School, University of Virginia
Command and General Staff College, Fort Leavenworth, Kansas
National Defense University, Industrial College of the Armed Forces, Washington, D.C.

Professional Experience

Clerk of Court Supreme Court of the United States Washington, D.C., 1991-Present

Major General
Assistant Judge Advocate General of the Army
Washington, D.C., 1985-1990

Director of operations for the Judge Advocate General's Corps, an organization of 4500 military and civilian attorneys located worldwide, in areas including criminal law, procurement fraud, labor law, ethics, administrative law, international law, government contract law, environmental law and litigation. Supervised an American Bar Association approved law school and the U.S. Army Claims Service (annual claims budget in excess of \$120 million).

Chief Judge, U.S. Army Court of Military Review and Commander, U.S. Army Legal Services Agency Washington, D.C., 1984-1985

Chief Judge of appellate criminal court composed of sixteen judges with caseload of approximately 250 felony cases a month. Supervised a legal organization of 600 attorneys and support personnel located worldwide.

### Commandant, The Judge Advocate General's School University of Virginia, Charlottesville, Virginia, 1981-1984

Dean of American Bar Association approved law school with a staff of 100 personnel and a curriculum including a ten-month graduate program approved by the American Bar Association and 40 continuing legal education courses with approximately 4,000 student attorneys annually.

### Director of Academics, The Judge Advocate General's School University of Virginia, Charlottesville, Virginia, 1980-1981

Responsible for curriculum development, instruction and School operations, including budget of \$10 million.

### Chief of Personnel, Plans and Training Office of The Judge Advocate General, Washington, D.C., 1977-1979

Director of personnel management (recruiting, training and assignment) of 1,800 active duty judge advocates and 200 civilian attorneys. Developed and executed plans for delivery of legal services for the Army.

### Staff Judge Advocate, 101st Airborne Division Fort Campbell, Kentucky, 1975-1977

Chief legal advisor for a combatant command and a community of 26,000 soldiers and 50,000 family members. Supervised 50 attorneys and support personnel.

### Assistant Chief, Personnel, Plans and Training Office of The Judge Advocate General, Washington, D.C., 1972-1974

Responsible for developing plans for the operations of the Judge Advocate General's Corps and its worldwide delivery of legal services.

### Deputy Staff Judge Advocate U.S. Army Vietnam, 1971-1972

Deputy chief legal advisor for the senior U.S. Army command in Vietnam. Responsible for oversecing all Army legal operations and services in South Vietnam.

### Staff Judge Advocate U.S. Army Support Command, Thailand, 1970-1971

Chief legal advisor for the senior U.S. Army command in Thailand. Supervised 30 attorneys and support personnel.

Instructor, The Judge Advocate General's School University of Virginia, Charlottesville, Virginia, 1967-1970

Law school instructor and author, specializing in administrative law.

Assistant Staff Judge Advocate U.S. Army Alaska, Anchorage, Alaska, 1963-1966

Served as prosecutor, defense attorney and legal staff officer.

### Bar and Legal Association Memberships

U.S. Supreme Court
Federal Bar Association
National Conference of Appellate
Court Clerks
Supreme Court Historical
Center for the Public Interest

Supreme Court of Louisiana
District of Columbia Court of Appeals
U.S. Court of Military Appeals
U.S. Army Court of Military Review
Legal Advisory Council, National Legal Society
Federalist Society

### Awards

Honorary Doctor of Laws Degree, Campbell University, 1993
Trinity University Distinguished Alumnus, 1990
Distinguished Service Medal
Bronze Star Medal
Meritorious Service Medal, 4 awards
Army Commendation Medal
Parachutist Badge

### **Publications**

"Guide for Counsel in Cases to Be Argued Before the Supreme Court of the United States"

"Judicial Review of Military Administrative Decisions," 6 Houston Law Review 55 (1968).

"Military Justice? - Definitely!" 49 Tulane Review 588 (1975).

"Juvenile Delinquency on Military Installations," The Army Lawyer, page 3, July 1975.

Numerous book reviews.

### Personal

Born: August 24, 1937, Portsmouth, Ohio

Spouse: Jeanie Suter

Children: William and Charles

U.S. Department of Labor

Office of Administrative Law Judges 800 K Street, NW, Suite 400-N Washington, D.C. 20001-8002

(202) 693-7500



### Biography

### Richard T. Stansell-Gamm Administrative Law Judge

Judge Stansell-Gamm was appointed an Administrative Law Judge in the United States Department of Labor's Office of Administrative Law Judges on July 20, 1997. Prior to joining the Department of Labor, Judge Stansell-Gamm was a civilian attorney-advisor in the General Claims Division of the United States Air Force Legal Services Agency ("AFLSA"), Bolling Air Force Base, Washington, D.C.

For more than twenty-three years, Judge Stansell-Gamm served on active duty in the United States Air Force initially as a fighter pilot and for the majority of his career as a judge advocate, which included a three year assignment as a military judge. At the time of his retirement in the summer of 1996 as a Lieutenant Colonel, he was the Chief of the General Claims Division, AFLSA.

Judge Stansell-Gamm has a BSBA degree with honors from the University of Florida and a MBA degree from the University of Utah. He graduated from the University of Florida Law School with high honors in 1980 and was inducted into the Order of the Coif. In 1994, Judge Stansell-Gamm received a Masters of Law (Labor) with distinction from the Georgetown University Law Center. Judge Stansell-Gamm is a member of the Florida Bar and has been admitted to practice before the Supreme Court of the United States.

As an administrative law judge, Judge Stansell-Gamm's principal duties involve the conduct of hearings, the adjudication of controversies, and the rendering of decisions relating to a diverse and extensive range of federal statutes. Under the Longshoremen's and Harbor Workers' Compensation Act and the Black Lung disability benefits provisions of the Federal Mine Safety and Health Act of 1977, Judge Stansell-Gamm presides at hearings and issues decisions concerning compensation claims for work-related injuries or disease. Judge Stansell-Gamm has also adjudicated cases involving employee whistle blower protection under federal environmental and nuclear statutes and the Surface Transportation Assistance Safety Act, alleged violations of the Migrant and Seasonal Agricultural Worker Protection Act, discrimination complaints under the Standards of Conduct for labor organizations in the federal sector established by Title VII of the Civil Service Reform Act of 1978, and requests for safety variances of the Mine Safety Act. In addition, Judge Stansell-Gamm has presided over public hearings addressing the issuance of Departmental regulations concerning steel construction safety standards under the Occupational Safety and Health Act.

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